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# JOURNALS OF THE CONTINENTAL CONGRESS

## 1774-1789

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## Volume XVII. 1780

May 8-September 6

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1910

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**MONDAY, MAY 8, 1780**

A letter, of 5th, from General Washington was read:[1]

*Ordered,* That so much thereof as relates to money be referred to the Board of Treasury.

A letter, of April 24, from J. Richardson, assistant commissary general of issues, with a number of papers enclosed; and

A letter, of the 7th instant, from W. Bingham, were read:

*Ordered,* That they be referred to the Committee of Commerce.

A letter, of 5, from the Board of War was read, with a letter enclosed from Brigadier Muhlenberg:

*Ordered,* That the same be referred back to the Board of War to take order.

Another letter from the Board of War was read:[2]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Abraham] Clark, Mr. [James] Lovell and Mr. J[oseph] Jones.

The Committee of Foreign Affairs laid before Congress a letter, of April 7, from Parsons Alston & Co. at Martinique, which was read and returned to the committee.[3]

Adjourned to 10 o'Clock to Morrow.

**TUESDAY, MAY 9, 1780**

A letter, of 24 April, from Governor A. Nash, of North Carolina, was read, with sundry papers enclosed:

*Ordered,* That the same be referred to the Board of War.

[1] This letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 539.

[2] The letter of the 5th is in the *Papers of the Continental Congress*, No. 148, I, folio 83; the second letter is in No. 148, I, folio 79.

[3] A letter from Allen McLane, dated May 8, 1780, appears to have been read. It is in the *Papers of the Continental Congress*, No. 78, XVI, folio 37; also one from W. Rickman, dated April 23, which is in No. 78, XIX, folio 311.

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A letter, of 6, from President J. Reed, of Pensylvania, was read:[1]

*Ordered,* That it be referred to a committee of three.

The members chosen, Mr. [Oliver] Ellsworth, Mr. [Frederick A.] Muhlenberg and Mr. [Abraham] Clark.

A petition from Lieutenant Colonel Dericks was read:[2]

*Ordered,* That it be referred to a committee of three.

The members chosen, Mr. ~~Ellsworth~~ [John Morin] Scott, Mr. [Frederick A.] Muhlenberg and [William Churchill] Houston.

An appeal from the judgment of a Court of Admiralty in the State of North Carolina, on the libel John Brag *vs.* sloop *Dove,* was lodged with the Secretary, and referred to the Court of Appeals.

The committee, appointed to arrange the reports on file, in such order that those which call for most immediate consideration should be first taken up, report that they have met and arranged seven reports; but not having finished the business assigned to them, desire leave to sit again.

Mr. Peter R. Fell was put in nomination by Mr. [William Churchill] Houston, to be elected a commissioner of the chambers of accounts in the room of Mr. Mumford, deceased.

The time for which Mr. [William Churchill] Houston was elected being expired, Congress proceeded to an election of a member for the Board of Treasury; and the ballots being taken, Mr. [James] Duane was elected.

The delegates of Virginia, to whom were referred the letter and papers inclosed of P. Legras, report that the same are proper for the consideration of the general assembly of Vir-

[1] Nash's letter is in the *Papers of the Continental Congress,* No. 72, folio 73; Reed's is in No. 69, II, folio 185.

[2] This petition, undated, is in the *Papers of the Continental Congress,* No. 42, II, folio 293.

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ginia, and in their opinion, ought to be transmitted to the executive of that State.[1]

*Resolved,* That Congress agree to the said report.

The committee, to whom was referred a letter from the Board of War, of the 5th instant, report that, having conversed with the petitioner therein referred to, and having received from the Board the testimonies mentioned by them respecting his reputable character, they are of opinion that permission should be granted to the petitioner to go to Great Britain, for the purpose of removing his property from thence to these United States, and that a protection in the usual form be given to him.

The Com^tee^ further report that they do not think it expedient for Congress to adopt the plan of supplies of clothing which the Petitioner had to propose.[2]

*Resolved,* That Congress agree to the report.

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, MAY 10, 1780

A letter, of this day, from Doctor J. Morgan was read, requesting "to be indulged with an authenticated copy of his Excellency General Washington's letter to Dr. Shippen, referred to in the General's letter to him (Dr. Morgan), of January 6, 1779, dated about the beginning of November, 1776, and enclosed to the President of Congress in Doctor Shippen's letter, dated 9th November, 1776:"

*Ordered,* That Doctor Morgan be furnished with a copy of the said letter, agreeably to his request.

[1] This report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress,* No. 19, III, folio 537.

[2] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress,* No. 27, folio 103. The first paragraph was also entered in the manuscript Secret (Domestic) Journal.



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A letter, of 9, from Le Baron de Benyowsky was read:

*Ordered,* That the secretary inform Le Baron de Benyowski, that the request contained in his letter of the 9th, cannot be complied with.

A letter, of this day, from Major General B. Arnold, was read, informing that "on examining the report of the Board of Treasury on his public accounts, he finds himself under the necessity of appealing to the honorable Congress, and requesting the favour of that honorable body to point out the method of proceeding in appeals from the Board of Treasury, and to be informed when he can be heard on the subject of the appeal." [1]

*Ordered,* That Major General Arnold be informed he is at liberty to state in writing any objections he may have to the report of the Board of Treasury on his accounts, and to lay them before Congress.

The committee appointed to report a proper compensation to the staff of the army in consequence of the depreciation of the currency, delivered in a report, which was read and re-committed.

The Committee "appointed to report a proper compensation to the staff of the army in consequence of the depreciation of the currency,"

Beg leave to report as their opinion that it would be premature to proceed upon the business before the Committee that is sent to Head Quarters shall have reported.[2]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of the Board of War and Ordnance, the following warrants amounting to two hundred and eighty seven thousand five hundred and seventy

[1] Morgan's letter is in the *Papers of the Continental Congress,* No. 63, folio 173; that of Baron de Benyowsky is in No. 78, III, folio 461; Arnold's letter is in No. 162, folio 201.

[2] This report, in the writing of Samuel Holten, is in the *Papers of the Continental Congress,* No. 21, folio 227.

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one dollars and sixty ninetieths of a dollar, issue in favour of Joseph Carleton, paymaster to the said Board, for the use of the cloathing department, and for which the said pay master is to be accountable; viz.

Two on George Brooke, treasurer of the State of Virginia, one for twenty three thousand and seventy seven dollars and forty five ninetieths of a dollar; and the other for one hundred thousand dollars (part of the monies raised in the said State for the use of the United States).

Three on Henry Gardner, treasurer of the State of Massachusetts Bay; one for sixty eight thousand six hundred and ~~seventy~~ forty eight dollars and thirty ninetieths of a dollar; another for forty five thousand eight hundred and forty five dollars and seventy five ninetieths of a dollar; and the other for fifty thousand dollars (part of the monies raised in the said State for the use of the United States).

That a warrant issued on Thomas Harwood, commissioner of the continental loan office for the State of Maryland, for one hundred and sixty thousand dollars, in favour of William Palfrey, paymaster general, for the purpose of discharging sundry warrants drawn on him by the Board of War and Ordnance, for forwarding the Maryland and Delaware troops on their march to the southward; and for which the said paymaster general is to be accountable.

That on the application of the Board of War and Ordnance, a warrant issue on ~~Thomas Smith Esq^r. Commissioner of the Continental Loan Office of the State of Pennsylvania~~ the treasurer, for eighty thousand dollars, in favour of Joseph Carleton, paymaster to the said Board, for the purpose of forwarding the troops now on their march to the southward; and for which the said paymaster is to be accountable.[1]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 283.

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Mr. [James] Duane, at his request, being for the present excused from serving at the Board of Treasury, Congress proceeded to another choice, and the ballots being taken,

Mr. [James] Henry was elected.

The Board of Treasury, to whom was referred the memorial of J. Holker, Consul of France, and others, respecting the loss of certain loan office certificates, brought in another report, which was taken into consideration, and thereupon,

*Resolved,* That loan office certificates, destroyed through accident, be renewed at the office where they first issued, and delivered to the persons who shall appear to have been the holders of them at the time they were destroyed, on the following terms, viz.

1. That all certificates so destroyed, be advertised immediately in the news papers of the State where the accident happened; and, if they have been taken out at the loan office of a different State, in the news papers of such State also; and in every case where no news papers are printed in a State, then in one or more of those which circulate most generally therein; which advertisement shall be continued six weeks, and shall contain the numbers, dates, sums, names in which the certificates were taken out, and the time when, the place where, and the means by which they were destroyed.

2. That a copy of the advertisement be lodged in the loan office whence the certificates issued, together with such testimony as can be procured, ascertaining the time when, the place where, and the means by which the destruction happened; which copies and testimonies shall be duly certified by the loan officer, to be laid by the party claiming the renewal before the Board of Treasury, who shall finally decide on the sufficiency thereof.

3. That the party claiming the renewal enter into bond to such loan officer on behalf of the United States, with two or more sufficient freeholders, as securities, in double the amount

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of the value of the certificates claimed to be renewed, with condition to indemnify the United States against the holders of the certificates said to be destroyed, should any such afterwards appear.

4. That no certificates be renewed before the expiration of three months after the publication of the advertisement above mentioned.

5. That where a demand is made by virtue of a letter or warrant of attorney, such letter or warrant be first legally proved and recorded, and an authenticated copy lodged in the loan office where the demand is made.

6. That the renewed certificates be of the same tenor and date with those destroyed, and that the payments of interest, where any have been made, be regularly endorsed, as they appear on the loan office books; and that they bear a mark to distinguish them from the originals, which mark shall be entered in the loan office books.

*Ordered*, That the Board of Treasury prepare and forward to the respective loan officers the form of a bond, with the necessary instructions, to direct them in the execution of the aforesaid resolution; and that they state the sum to be paid by the applicants to the United States for certificates renewed, and the fees to be taken by the loan officer.

The Board of Treasury, in pursuance of the order of the 21st April last, brought in a report; Whereupon,

*Ordered*, That a warrant issue on Thomas Smith, commissioner of the continental loan office in the State of Pennsylvania, for ~~fifty-seven thousand nine hundred and forty one~~ twenty five thousand dollars, specie, in favour of Joseph Carleton, paymaster to the Board of War and Ordnance, payable in bills of exchange to be drawn on the honourable John Jay, Esquire, minister plenipotentiary of the United States of America at the Court of Madrid, to be applied pursuant to the resolution of Congress of 21st April, respecting American

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prisoners; and for which the said Joseph Carleton is to be accountable.[1]

Another report from the Board of Treasury was read; Whereupon,

*Ordered*, That ~~on the application of the Board of War and Ordnance~~ a warrant issue on ~~Michael Hillegas Esq~~ the treasurer, in favour of William Palfrey, paymaster general, for forty thousand dollars, ~~for the purpose of~~ to enable him to discharge the orders of the Board of War, for expediting the troops now on their march to the southward; and for which the ~~William Palfrey~~ said paymaster general is to be accountable.

That on the application of ~~the Board of War a warrant issue on the Treasurer in favor of~~ Charles Pettit, assistant quarter master general, on account of Major General Greene, quarter master general, a warrant issue in his favour on the treasurer, for one hundred thousand dollars, to be applied in the ~~Quarter Master's~~ department of the said quartermaster general, for the purpose of expediting the troops now on their march to the southward; and for which ~~the Quarter Master General~~ he is to be accountable.[2]

*Ordered*, That Mr. [John] Collins have leave of absence.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, MAY 11, 1780

A letter, of 1, from Governor Trumbull, of Connecticut, was read, enclosing two acts of the general assembly of that State; one passed in pursuance of the act of Congress, of 25 February, and the other in pursuance of the act of Congress, of 18 March last:

[1] This order was also entered in the manuscript Secret (Domestic) Journal. The report is in the *Papers of the Continental Congress*, No. 136, IV, folio 285.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folios 289 and 291.

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*Ordered*, That the letter with the act passed in pursuance of the resolutions of 18 March, be referred to the Board of Treasury.

Another letter, of 1st, from Governor Trumbull was read:

*Ordered*, That it be referred to the Medical Committee.

Another letter from Governor Trumbull was read:[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. [Nathaniel] Folsom and Mr. [James] Madison.

A memorial from Mary Carew was read:

*Ordered*, That it be referred to the Committee of Commerce.

A letter, of 24 February, from J. Gardoqui & Sons, and,

A letter, of 19 February, from W. Carmichael, were read.[2]

The committee on a device of a great seal; and the committee, to whom was referred the petition of Colonel Derik, brought in reports, which were read.

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, MAY 12, 1780

A letter, of 10, from the committee sent to headquarters was read:[3]

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. [Oliver] Ellsworth, Mr. [Frederick A.] Muhlenberg and Mr. [William Churchill] Houston.

*Resolved*, that the committee be and they are hereby instructed to confer with the president and supreme executive council of the State of Pensylvania, and with such

[1] The first letter is in the *Papers of the Continental Congress*, No. 66, II, folio 47; the second on folio 37; the third on folio 41.

[2] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 507.

[3] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 12. A draft, dated May 9, is on folio 1, and it was transcribed under the same date in Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 21.

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committee as the general assembly of the said State shall appoint.

*Ordered*, That the Board of Treasury lay before Congress a copy of the estimates on which warrants were ordered to be issued, in favour of the commissary general of purchases, on the 10 and 11th of April, and 1st of May.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favour of John Nicholson, one of the clerks in the chamber of accounts, for nine thousand dollars, on account of his salary.

That a warrant issue on the treasurer, in favour of John L. Clarkson, Jun., clerk to the Board of Treasury, for six thousand dollars, on account of his salary.

Postponed till to morrow.

The Board having considered the letter of James Gray Deputy Commissary General of Issues complaining of his inability to bring John Hanson one of his Assistant Commissaries to account referred to them by Congress Report—

That it is inexpedient for Congress to interpose in the Case of the aforesaid James Gray and his Assistant, But that it is expedient to be by Congress resolved, That it be recommended to the several States to pass laws for giving speedy remedy against all persons intrusted with public supplies who refuse or delay to account.[1]

That on the application of the Board of War, a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the said Board, for forty five thousand eight hundred and forty five dollars and 75/90, in lieu of a warrant issued on the 10th, on the treasurer of the State of Massachusetts Bay, for the same sum, which is to be cancelled at the treasury office.[2]

That on the application of Mr. [William] Ellery, a delegate from the State of Rhode Island and Providence Plantations,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 293.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 301.

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a warrant issue on the treasurer, in his favour, for fifteen thousand dollars, for which the said State is to be accountable.

That the following warrants, amounting to one hundred thousand dollars, issue in favour of Richard Bache, post master general, for which he is to be accountable, viz.

One on Nathaniel Appleton, commissioner of the continental loan office for the State of Massachusetts bay, for thirty thousand dollars; one on Thomas Smith, commissioner of the continental loan office for the commonwealth of Pensylvania, for thirty thousand dollars; one on William Armistead, commissioner of the continental loan office for the commonwealth of Virginia, for twenty thousand dollars; and one on James Green, commissioner of the continental loan office for the State of North Carolina for twenty thousand dollars. ~~being part of the monies raised in said States respectively for the use of the United States.~~

The Board having considered the letter of William Rickman Deputy director general of the hospitals in Virginia referred to them by Congress report

That the said William Rickman is not charged with any monies in the Treasury books, ~~and that if he has received any monies that he is accountable to the Director General who is to account with the United States.~~

That on the application of William Palfrey, paymaster general, the following warrants, amounting to two millions of dollars, issue in his favour, to be applied in the department of the said paymaster general; and for which he is to be accountable; viz.

One on Joseph Clarke, commissioner of the continental loan office for the State of Rhode Island and Providence Plantations, for three hundred and eighty eight thousand nine hundred and twelve dollars and twenty seven ninetieths.

One on Henry Gardner, treasurer of the State of Massachusetts Bay, for four hundred and thirty thousand dollars.

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One on John Lawrence, treasurer of the State of Connecticut, for two hundred and ninety six thousand four hundred and twenty one dollars and sixty three ninetieths of a dollar.

One on Gerardus Bancker, treasurer of the State of New York, for two hundred and thirty seven thousand three hundred and thirty three dollars; and

One on ~~David Rittenhouse Treasurer~~ the president and supreme executive council of the commonwealth of Pensylvania, for six hundred and forty seven thousand three hundred and thirty three dollars, being part of the monies raised in the said states, respectively, for the use of the United States.

That on the application of the Board of War, a warrant issue on the treasurer, in favour of Ephraim Blaine, commissary general of purchases for four hundred and ninety six thousand nine hundred and six dollars and sixty ninetieths of a dollar, to enable him to discharge a contract for rum purchased for the use of his department; and for which the said Ephraim Blaine is to be accountable.[1]

Adjourned to 10 o'Clock on Monday.

### MONDAY, MAY 15, 1780

Mr. G[eorge] Walton, Mr. E[dward] Telfair and Mr. W[illiam] Few, delegates from the State of Georgia, attended and produced their credentials, which were read, as follows:

Georgia. By his Honor Richard Howly, esquire, Captain General, Governor, and Commander in chief, in and over the State of Georgia.

To all whom these presents shall come, be made known or concern.

Whereas the Representatives of the freemen of this State, in General Assembly met, did, on tuesday the eleventh day of January last,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 295.

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at Augusta in the State aforesaid, enter into and pass the following proceedings and Resolution.

"HOUSE OF ASSEMBLY AUGUSTA 11th JANUARY 1780.

"The House met agreeable to adjournment; and in pursuance of the Order of the day, proceeded to elect five persons to Represent this State in Congress, during the ensuing year, and until others shall be appointed: And the ballots being taken, it appeared that Colonel George Walton, Edward Telfair, Benjamin Andrew, and Lyman Hall, esquires, and Lieutenant Colonel William Few, were duly Elected."

"*Resolved, therefore,* that the said Colonel George Walton, Edward Telfair, Benjamin Andrew, and Lyman Hall, esquires, and the said Lieutenant Colonel William Few, or any two of them, do constitute the Representation and Vote of this State in Congress, during the ensuing year, and until others shall be appointed." True Copy.

GEO. SEEGAR C. G. A.

Now know ye, that in execution of the said proceedings and resolution, I have commissionated, and by these presents do Commissionate, the said Colonel George Walton, Edward Telfair, Benjamin Andrew, and Lyman Hall, esquires, and the said Lieutenant Colonel William Few, as Delegates of and for this State, in the General Congress of the United States, for and during this year of our Lord, one thousand seven hundred and eighty, and until others shall be appointed in their stead, by the General Assembly. And Powers and persons concerned are to respect them as such.

Given under my hand and the Great Seal of the State, at Augusta, this ninth of February, in the said year of our Lord, one thousand seven hundred and eighty, and in the fourth year of the Independency of the United States of North-America.

Signed RICHD. HOWLY,
with the great Seal appendant.

By his Honor's Command
EDWARD JONES *Secy. of the State of Georgia.*[1]

A letter, of 13, from General Washington was read.

[1] The original is in the *Papers of the Continental Congress*, Georgia, *Credentials of Delegates*.

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~~A duplicate of a letter of October 4, 1779, from B. Franklin and~~ a letter, of March 4th, from ~~the same~~ Doctor B. Franklin was read;

Letters, of February 15th, 17th, 19th, 20, 25, 27, 29, and March 4th from J. Adams, at Paris, were read;

Also duplicates of his letters of December 11 and 16, and of January 16, February 15, 17, 19 and 20, were received.[1]

A letter, of 18 February, from F. Dana was read.

*Ordered*, That the foreign letters be referred to the Committee of Foreign Affairs.

A letter, of March 3 and one of March 7, from J. Williams, at Nantes, to the Committee for Foreign and Commercial Affairs, were laid before Congress, the former accompanied with a duplicate of his accounts as settled by commissioners; and the latter enclosing an invoice of goods; and being read, they were returned to the Committee of Commerce.

On motion of Mr. [James] Duane, seconded by Mr. [James] Searle,

*Resolved*, That a committee of three be appointed to take into consideration and report a proper arrangement for the department of foreign affairs.

The members chosen, Mr. [James] Lovell, Mr. [William Churchill] Houston and Mr. [James] Duane.

A letter, of 12, from Governor Rodney of Delaware, directed to Mr. [Thomas] McKean, a delegate for that State, was laid before Congress and read:[2]

*Ordered*, That it be referred to the Board of War.

A letter, of 12th, from B. Arnold, with sundry papers enclosed, relative to his accounts, was read:

[1] Washington's letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 543. Franklin's letter is printed in *The Diplomatic Correspondance of the American Revolution* (Wharton), III, 534, and Adams's letters on pp. 494, 499, 504, 507, 519, 524, 527, and 532. The December and January letters are on pp. 422, 427, 457.

[2] This letter is in the *Papers of the Continental Congress*, No. 70, folio 727.

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*Ordered*, That the same be taken into consideration to morrow.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, MAY 16, 1780

A memorial of John S. Eustace was read:[1]

*Ordered*, That it be referred to the Board of War.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of James Wilkinson, cloathier general, approved by the Board of War, a warrant issue on Joseph Borden, commissioner of the continental loan office for the State of New Jersey, in his favour, for six thousand dollars, for the use of the hide department; and for which the said James Wilkinson is to be accountable.

That on the application of John Gibson, commissioner of the Board of Treasury, a warrant issue on the treasurer, in his favour, for twenty five thousand dollars, on account of his salary.

That on the application of William Geddes, commissioner of the chamber of accounts, a warrant issue on the treasurer, in his favour, for fifteen thousand dollars, on account of his salary.

That on the application of Francis Hopkinson, treasurer of loans, a warrant issue on the treasurer, in his favour, for six thousand dollars, on account of his salary.

That on the application of James Milligan, auditor general, a warrant issue on the treasurer, in his favour, for twenty thousand dollars, on account of his salary.

That on the application of Joseph Nourse, assistant auditor general, a warrant issue on the treasurer, in his favour, for ten thousand dollars, on account of his salary.

[1] This memorial, undated, is in the *Papers of the Continental Congress*, No. 41, III, folio 53.

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That a warrant issue on the treasurer, in favour of Thomas Edison, one of the clerks in the Secretary's office, for six thousand dollars, on his application, on account of his salary.

That on the application of George Bond, deputy Secretary, a warrant issue on the treasurer, in his favour, for eight thousand dollars, on account of his salary.[1]

That on the application of the Board of War and Ordnance, a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the said Board, for one hundred thousand dollars, to be applied in the cloathing department; and for which the said Joseph Carleton is to be accountable.

That on the application of Mr. T[homas] Burke, a delegate for the State of North Carolina, a warrant issue on the treasurer, in his favour, for fifteen thousand dollars; for which the said State is to be accountable.

That on the application of Charles Lee, secretary to the Board of Treasury, a warrant issue on the treasurer, in his favour, for five thousand dollars, to defray the contingent expences of the office; and for which he is to be accountable.

The Board on the references relative to the Children of the late General Warren Report,

That the accounts for the Education of Joseph Warren his eldest son have been paid to Doctor John Warren up to April 1779 and that no accounts have Since been rendered,

That they know of no resolution of Congress making provision for the education of any other of the Children of the said late General Warren.[2]

A report from the Board of War; and a letter, of 15th, from Captain Paschki were read; Whereupon,[3]

AT A BOARD OF WAR, *May 12. 1780*

Present Col. Pickering, Mr Peters, Col. Grayson

The Board beg leave to represent to Congress the case of Capt: Frederick Paschke, late of Count Pulaski's Legion.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 299.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 303.
[3] Paschke's letter is in the *Papers of the Continental Congress*, No. 78, XVIII, folio 283.

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Capt: Paschke is a native of Prussia, in which service he had the rank of Cornet; he was afterwards a Lieut: in the Polish service, which he left to engage in the service of the United States. He arrived here in 1776, and served ten months as a Lieut: in Colº Proctor's Regiment of Artillery; from thence he was taken into the Qr Master General's Department, as an assistant to Col. Lutterloh, Deputy Qr Master Genl Upon the change in that department in 1778, he was out of Office, but almost immediately engaged in Count Pulaski's Legion as a Captain and Qr Master, and continued therein till its dissolution. In all these employments he appears to have conducted himself as a brave, intelligent, faithful and industrious officer.

Desirous of active service, but not finding it possible to be inserted in any continental Corps in the Southern Army, he came to the northward; but here the same difficulty subsists. We have therefore advised his return home to Prussia. But having expended much money in coming hither, and supporting himself in the service, he is in real distress; the small value of his pay compelling him to lay himself under obligations to his friends, which he is anxious to discharge.

The Board thought of a year's pay and subsistence amounting to 3,000 dollars in paper and 250 dollars in specie as proper to be given Capt: Paschke, but did not insert the sums, as they have not hitherto mentioned any sums in such cases.

Capt: Paschke wishes the favour of a speedy determination, as he has the means of going to the Southward with Baron Kalb, if Congress, do not think proper to enable him to return to Europe

We therefore beg leave to report:

*Resolved*, That the sum of three thousand dollars, currency of these states, and a bill of exchange for two hundred and fifty dollars in specie, be paid to Captain Paschki, late of Count Pulaski's legion, (which being dissolved, Congress have no means of employing Captain Paschki, though a deserving officer) to enable him to return to Europe:[1]

On passing the grant for a bill of exchange for 250 dollars in specie, the yeas and nays being required by Mr. [John] Fell,

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 355.

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| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | * |
| *Rhode Island,* | | |
| Mr. Ellery, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| *New York,* | | |
| Mr. Scott, | no | no |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| Shippen, | ay | |
| *Virginia,* | | |
| Mr. Griffin, | ay | ay |
| J. Jones, | ay | |
| Henry, | ay | |
| Madison, | ay | |
| *North Carolina,* | | |
| Mr. Burke, | no | div. |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| *Georgia,* | | |
| Mr. Telfair, | ay | ay |
| Few, | ay | |

So it was resolved in the affirmative.

A letter, of 13, from General Washington, and one of this day from Major General the Marquis de la Fayette, were read; Whereupon,[1]

On motion of Mr. [James] Duane, seconded by Mr. [Robert R.] Livingston,

*Resolved,* That Congress consider the return of the Marquis de la Fayette to America to resume his command in the army, as a fresh proof of the disinterested zeal and persevering attachment which have justly recommended him to the public confidence and applause; and that they receive with pleasure a tender of the farther services of so gallant and meritorious an officer.

In pursuance of the order of the 12, the Board of Treasury laid before Congress a copy of the estimate on which warrants were issued to Mr. Blaine.[2]

[1] Washington's letter is in the *Papers of the Continental Congress,* No. 152, VIII, folio 549; Lafayette's is in No. 156, folio 105.

[2] This estimate is in the *Papers of the Continental Congress,* No. 34, folio 149.

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Congress took into consideration the letter from Major General B. Arnold; and after debate,

*Resolved,* That the same with the papers enclosed, and the report of the Board of Treasury on Major General Arnold's accounts be referred to a committee of three:

The members chosen, Mr. [Edward] Telfair, Mr. J[oseph] Jones and Mr. [Abraham] Clark.[1]

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, MAY 17, 1780

A memorial from the Honorable Minister Plenipotentiary of France was read. On which a motion being made by Mr. [Robert R.] Livingston,

*Ordered,* That the memorial and motion be referred to a committee of three.[2]

The members chosen, Mr. [Robert R.] Livingston, Mr. [Oliver] Ellsworth and Mr. J[oseph] Jones.

Mr. [John] Mathews, one of the committee sent to head-quarters, being returned laid before Congress a report, which was read:

*Ordered,* That it be referred to the foregoing committee.

A letter, of this day, from J. Hiltzeimer was read:

*Ordered,* That it be referred to the Board of Treasury.

A letter, of this day, from Captain Paschki was read.[3]

A report from the Board of War was read, enclosing a letter from Brigadier Knox, recommending the Rev. Mr. Samuel Blair to be chaplain to the brigade of artillery; Whereupon,

[1] This resolution, in Thomson's writing, is in the *Papers of the Continental Congress,* No. 136, IV, folio 231a. Arnold's letter and the enclosures are in No. 136, IV, folios 233–275.

[2] A translation of the memorial is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 683.

[3] Hiltzheimer's letter is in the *Papers of the Continental Congress,* No. 78, XII, folio 25; that of Paschke is in No. 78, XVIII, folio 287. Mathews' report is in No. 39, I, folio 16.



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*Resolved*, That the Rev. Mr. Samuel Blair be appointed chaplain of the brigade of artillery; and that this appointment have effect as if made on the first day of March, 1779, from which time he has officiated as chaplain to the brigade.[1]

At the request of Mr. [Elbridge] Gerry,

*Resolved*, That the order of the 5, for a warrant in his favour for 12,000 dollars, be repealed, and the warrant drawn in consequence thereof, cancelled.

The report of the committee on the device of a seal was taken into consideration; and after debate,

The Committee to whom was referred on the 25th of March last the report of a former Committee on the device of a Great Seal for the United States in Congress assembled, beg leave to report the following description.

The seal to be [3] inches in diametre.

On one side the arms of the United States as follows The shield charged on the field azure with 13 diagonal stripes alternate ~~red~~ [rouge] and ~~white~~ [argent]. Supporters, dexter a warrior holding a sword; sinister a figure representing peace bearing an olive Branch. The crest—a radiant constellation of 13 Stars. The motto, *Bello vel paci:* The Legend round the atchievement, *The great seal of the United States of America.*

On the Reverse The Figure of Liberty seated in a chair holding the staff and cap. The motto, ~~*semper* [*"Libertas*~~ *virtute perennis"*]: underneath MDCCLXXVI.

A miniature of the Face of the great seal to be prepared of half the diametre, to be affixed as the less seal of the United States.[2]

*Ordered*, That it be re-committed.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 359.

[2] This report, in the writing of William Churchill Houston, except the words in brackets which are in Thomson's hand, is in the *Papers of the Continental Congress*, No. 23, folio 129. It is endorsed by Thomson: "Delivered May 10, 1780, read; recommitted", and a note added by Houston: "N. B. The within report has been altered since the recommitment of May 17, 1780." The designs were drawn by Francis Hopkinson and the notes underneath the sketches are in his writing. See *post* Oct. 27. On folio 144 is this note in Houston's hand undated:

"The figure of Liberty ~~in a~~ standing ~~attitude and~~ on a pedestal in a flowing dress, turning on a column, on which are to be ~~engraved~~ the emblems of ~~navigation,~~ commerce, agriculture and arms in sculpture."

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The delegates for New York laid before Congress a letter, of 27 April, and one of 9th May, from Governor Clinton, with sundry papers enclosed, which were read:

*Ordered,* That so much thereof as relates to the depredations of the Indians be referred to the Board of War.

On motion of Mr. [William Churchill] Houston, seconded by Mr. [James] Duane,

*Ordered,* That the President write to the Executive of the States of Delaware and Maryland and urge them to send forward immediately, and to keep up a representation in Congress, as matters of the highest consequence are now before them.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, MAY 18, 1780

A letter, of 27 January, from J. Jay, at Cadiz; another, of 20 February, from the same, with sundry papers enclosed;

One, of 28 February, and one of March 3, from the same, with sundry papers relative to advances to American seamen;

And another, of March 3d, from the same, respecting appointment of consuls, were read.

Another letter, of March 3, from the same, with sundry papers enclosed was read:[1]

*Ordered,* That the letters, of 28 February and 3 March, with the papers relative to seamen, be referred to the Board of Admiralty, and the others to the Committee of Foreign Affairs.

A letter, of 3, from J. Ward was read, declining the office of commissary general of prisoners.

A letter, of this day, from Major H. Lee was read:

*Ordered,* That it be referred to the Board of War.

[1] These letters, except that of February 28 and one of March 3, are printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 474, 509, 529, and 530.

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The delegates for New Hampshire laid before Congress a letter, of 28 April, from the president of that State, which was read:

*Ordered,* That it be referred to the Board of War.

A letter, of this day, from E[lbridge] Gerry was read.[1]

The Medical Committee, to whom was referred the letter, of 1, from Governor Trumbull; and

The committee, to whom was referred the memorial from the Minister of France, &c. brought in reports which were read.

The report of the committee on the memorial from the Minister of France was taken into consideration; and some time being spent thereon, adjourned to 7 o'Clock.

Seven O'Clock.

Congress met and resumed the subject under debate, and having made some progress therein,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, MAY 19, 1780

A letter, of 12, from Colonel Bailey was read:[2]

*Ordered,* That it be referred to the Board of War.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That a warrant issue on Nathaniel Appleton, commissioner of the continental loan office for the State of Massachusetts bay, in favour of Michael Hillegas, treasurer of the United States, for five hundred and ninety thousand dollars; for which the said Michael Hillegas is to be accountable.[3]

That on the application of James Wilkinson, cloathier general, approved by the Board of War, a warrant issue on the president and supreme executive council of the common-

[1] Ward's letter is in the *Papers of the Continental Congress,* No. 78, XXIV, folio 203; that of Lee in No. 78, XIV, folio 327; the New Hampshire letter in No. 64, folio 106; Gerry's letter in No. 78, X, folio 227.

[2] This letter is in the *Papers of the Continental Congress,* No. 78, III, folio 465.

[3] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 305.

From this point the entries are made by George Bond, of the Secretary's office.

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wealth of Pensylvania, in his favor, for three hundred thousand dollars (part of the monies raised in the said commonwealth, for the use of the said United States), to be applied in the hide department; and for which the said James Wilkinson is to be accountable.

That on the application of Mr. Samuel Holten, a delegate from the State of Massachusetts Bay, a warrant issue, in his favor, on the treasurer, for six thousand dollars, for which the said State is to be accountable.

That on the application of Joseph Carleton, secretary to the Board of Ordnance and paymaster to the Board of War and Ordnance, a warrant issue on the treasurer, in his favor, for eight thousand dollars, on account of his salary.[1]

Congress resumed the consideration of the report of the committee on the memorial of the Hon^ble^ Minister Plenipotentiary of France; Whereupon,

*Resolved*, That the States of Virginia, Maryland, Delaware, Pensylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts bay, and New Hampshire, be most earnestly called on to collect and pay into the continental treasury, immediately, if possible, and, at all events, within thirty days from this time, ten million dollars, for the special purpose hereafter mentioned, in the following proportions; the payments to be credited to the said states respectively, on their quotas of money due to the United States to the first day of March last, viz.

| | | | |
|---|---|---|---|
| Virginia | 1,953,200 | Connecticut | [1] 1,329,150 |
| Maryland | 1,234,350 | Rhode Island | 156,250 |
| Delaware | 132,800 | Massachusetts bay | [2] 1,794,950 |
| Pennsylvania | 1,796,950 | New Hampshire | 312,450 |
| New Jersey | 703,950 | | |
| New York | 585,950 | | 10,000,000 |

[1] The draft says: 1,328,050.

[2] The draft says: 1,796,950.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 309. Here Charles Thomson resumes the entries.

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*Resolved,* That bills be immediately drawn under the direction of the Board of Treasury on the hon^ble^ Dr. B. Franklin, for 25,000 dollars, and on the hon^ble^ John Jay, for 25,000 dollars, payable at sixty days sight:[1] that they be offered for sale in Massachusetts bay, Rhode Island, Connecticut, Pensylvania, Maryland, and Virginia, in the following proportions, viz.

| | | | |
|---|---|---|---|
| Massachusetts bay | 20,000 dollars. | Pennsylvania | 10,000 dollars. |
| Rhode Island | 3,000 do. | Maryland | 5,000 do. |
| Connecticut | 8,000 do. | Virginia | 4,000 do. |

*Resolved,* That the money to be raised as aforesaid be appropriated and applied solely to the bringing the army into the field, and forwarding their supplies in such manner as the exigency and nature of the service may require.

*Resolved,* That the committee at headquarters be directed [to expedite the drawing forth the supplies of the states required by the resolution of Congress, of the 25 day of February last, as the exigency and nature of the service may require, and the Commander in Chief shall judge them necessary.

That in case of any extraordinary emergency, more of any of the articles enumerated in the said resolution shall become necessary than is therein provided for, the said committee, with the advice of the Commander in Chief, do apply to the legislative or executive powers of any of the states aforesaid, from New Hampshire to Virginia, inclusive, as may be most convenient, to have them immediately purchased at the expence of the United States, or otherwise procured on the credit of the same, if necessity shall so require:

That the said committee give directions for procuring any other articles not provided for in the said resolution of the 25 of February, which the exigency of the service may, in the

[1] This paragraph was also entered in the manuscript Secret Journal, Foreign Affairs.

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opinion of the Commander in Chief render necessary, ~~and in case they cannot be purchased or otherwise obtained on the credit of these United States, that they~~ direct the proper applications to the civil magistrates of any of the states, for obtaining them in such manner as shall not admit of delay.

Previous question. ~~That said committee be directed in general to give every aid in their power to a successful cooperation of the forces of these United States with those of his Most Christian Majesty that shall be sent to our assistance.~~

That the said committee be also authorised to give assurance where any of the aforesaid articles shall be purchased or otherwise procured on the credit of the United States, that the just value of the same shall be paid, with interest at six per cent. as fast as money can be raised for that purpose.

That the said committee report their proceedings ~~and measures~~ to Congress ~~as often as may be, and also take the further directions of Congress where they find it necessary and time shall be given them therefor,~~ once a fortnight.]

*Resolved*, That the legislatures from New Hampshire to Virginia, inclusive, be requested to invest their executive authority, or some other persons, with such powers as will enable them, on the application of the committee aforesaid, to draw forth, at this critical period, the resources of the State.[1]

In debating the foregoing resolutions, particularly relative to the powers of the committee, an amendment was moved by Mr. [William] Ellery, seconded by Mr. [James] Searle, by inserting "except the States of Rhode Island and Providence

[1] This report is in the *Papers of the Continental Congress*, No. 25, I, folio 280, and a draft of the portion in brackets, in the writing of Oliver Ellsworth, is on folio 282. It was also entered in the manuscript Secret (Domestic) Journal. A transcript from the entry in the Journals is in Committee Book, Proceedings of the Committee appointed on the 13th of April, 1780, folio 3.

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Plantations, and the commonwealth of Pensylvania," after the words, "from New Hampshire to Virginia, inclusive"; And on the question, the yeas and nays being required by Mr. [James] Searle,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| *Rhode Island,* | | |
| Mr. Ellery, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Ellsworth, | no | |
| *New York,* | | |
| Mr. Duane, | no | no |
| Scott, | no | |
| Livingston, | no | |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| Shippen, | ay | |
| *Maryland,* | | |
| Mr. Plater | no | * |
| *Virginia,* | | |
| Mr. Jones, | no | no |
| Henry, | no | |
| Madison, | no | |
| *North Carolina,* | | |
| Mr. Burke, | ay | ay |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Mathews, | no | no |
| Kinloch, | no | |
| *Georgia,* | | |
| Mr. Walton, | no | no |
| Telfair, | no | |

So it passed in the negative.

A motion was made by Mr. [William] Ellery, seconded by Mr. [William Churchill] Houston,

That the powers conferred on the said committee by the foregoing resolutions, continue and be in force for sixty days from the date thereof, and no longer.

On which the previous question being moved by Mr. [Samuel] Holten, seconded by Mr. [Nathaniel] Folsom, and on the question, the yeas and nays being required by Mr. [William] Ellery,

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| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | ay |
| Holten, | ay | |
| *Rhode Island,* | | |
| Mr. Ellery, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Scott, | ay | |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | no | |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Muhlenberg, | ay | ay |
| Shippen, | ay | |
| *Virginia,* | | |
| Mr. Jones, | ay | ay |
| Henry, | ay | |
| Madison, | ay | |
| *North Carolina,* | | |
| Mr. Burke, | no | div. |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |

So it passed in the affirmative, and the main question was set aside.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY, MAY 20, 1780

A memorial from Bodo Otto was read:[1]

*Ordered,* That it be referred to the Board of War.

An extract from the minutes of the general assembly of the commonwealth of Pensylvania, was laid before Congress, purporting that "Mr. Peale, Mr. Blewer, Mr. Hayes, Mr. Wynkoop, Mr. J. Anderson, Mr. Orr, Mr. Smith, Mr. Jones, Mr. Dresbach, Mr. Powell, Mr. Sloan and Mr. Martin were appointed a committee to confer with Congress, in company with a committee of the supreme executive council, on the subject of the loan office certificates and the certificates issued by the officers of the staff department."[2]

[1] This memorial, dated May 19, 1780, is in the *Papers of the Continental Congress,* No. 41, VII, folio 273.

[2] This paper, dated May 19, 1780, is in the *Papers of the Continental Congress,* No. 69, II, folio 201.

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*Resolved*, That a committee of three be appointed to confer with the above committees:

The members chosen, Mr. [Oliver] Ellsworth, Mr. [William Churchill] Houston and Mr. [James] Henry.

On motion of Mr. [John] Mathews, seconded by Mr. [William Churchill] Houston,

*Resolved*, That the several states be earnestly requested to forward their quotas of troops to join their respective corps of the army, as soon as possible.

On motion of the Medical Committee,

*Resolved*, That on the application of the Medical Committee, the Commercial Committee be authorised to furnish Doctor Potts, the purveyor general, with two hogsheads of sugar, for the use of the hospitals in the middle district, the said purveyor general to be accountable.

*Resolved*, That on the application of the Medical Committee, the commissary general of purchases be directed to furnish the purveyor general with two hogsheads of spirits, for the use of the hospitals in the middle district, the said purveyor general to be accountable.[1]

A motion was made by Mr. [James] Searle, seconded by Mr. [William] Ellery, for an order in favour of [the] Board of Admiralty, on the Committee of Commerce, for an advance of money:

*Ordered*, That it be referred to the Board of Treasury.

The committee on the memorial of the hon^ble^ the Minister Plenipotentiary of France, brought in a farther report, which was read and agreed to.

On the report of the said committee—

*Resolved*, That the Marquis de la Fayette be requested to make such communications as he has to offer, relative to the military operations of the fleet

[1] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress*, No. 22, folio 89.

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and army of his most Christian Majesty in America, to the Commander in Chief of the American army.

*Resolved,* That the Commander in Chief, after having received the communications of the Marquis de la Fayette, take such measures for carrying on the operations of the ensuing campaign as will effectually promote the purposes mentioned in the answer given to the communications of the honourable the Minister Plenipotentiary of France, on the 31st January last.

*Resolved,* That the committee who brought in this report be requested to confer with the honourable the Minister of France on the means of supplying the forces of his most Christian Majesty, in case of their arrival in America, and to report thereon to Congress.

*Resolved,* That the same committee collect the intelligence requested in the communications of the Chevalier de la Luzerne; and that they be for that purpose empowered to establish correspondences with the governors of any of the United States, or such other persons as they may think proper; and that they lay such intelligence before Congress.[1]

Adjourned to 10 o'Clock on Monday.

### MONDAY, MAY 22, 1780

Mr. [John] Walker, a delegate from Virginia attended and took his seat in Congress.

A letter, of 17, from General Washington, and a letter, of 1st. March, from Lieutenant Colonel Fleury, soliciting a prolongation of his furlough, were read; Whereupon,[2]

*Resolved,* That the furlough heretofore granted to Lieuten-Colonel Fleury, be farther extended for the space of nine months.

[1] These resolutions were entered only in the manuscript Secret (Domestic) Journal.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 561; that of Fleury is on folio 565.

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A letter, of 20, [16.] from the committee sent to headquarters, with sundry papers enclosed, was read:

*Ordered*, That the same be taken into consideration to morrow.

A letter, of 16, from Governor Livingston, of New Jersey, was read:[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Thomas] Burke, Mr. [Samuel] Holten and Mr. [James] Duane.

A report from the Board of Treasury was read; Whereupon,

The Board having considered the memorials of the Executors of Peter Chevalier (deceased) referred to them by Congress together with the Certificates of the Commercial Committee of Congress on the subject of the Memorials aforesaid beg leave to represent—

That it appears from one of the memorials aforesaid dated January 27, 1780 and a Certificate of the Committee aforesaid dated March 27, 1779 that the Executors aforesaid drew Bills of Exchange on Duff and Welch Merchants in Cadiz in favour of the Commercial Committee aforesaid for one thousand nine hundred and sixty pounds Sterling, for which they were to be paid forty seven thousand and forty dollars of Continental Currency at such time when it should appear to the Committee aforesaid, that the aforesaid bills were duly honored and paid.

That it appears from the memorial aforesaid and a Certificate of the Committee aforesaid that the said Bills were duly honored and paid of which the Committee aforesaid received advice from their Agent at S^t. Eustatia in a letter dated November 30, 1779, previous to which advice the Executors aforesaid applied for payment but were refused. That it appears, that after the advice aforesaid was received, an order was offered for the payment of the aforesaid sum of forty seven thousand and forty dollars Continental Currency, but that from the extraordinary depreciation of the currency since that transaction, the widow and children must be very great sufferers, unless some allow-

[1] This letter is in the *Papers of the Continental Congress*, No. 68, folio 541. The letter of the Committee at headquarters is in No. 39, I, folio 24; it was dated the 16^th, a draft of the same letter is on folio 20, and it was transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13^th of April, 1780, folio 22.

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ance is made on that account, the truth of all which they have no reason to doubt. That it also appears from the memorial of the Executors aforesaid dated February 28, 1780, that they are willing to receive bills of exchange to reimburse them for the bills aforesaid, in which case they will relinquish all compensation for the use of their money a considerable time.

From all which considerations the Board are of opinion that the prayer of the said memorialists is reasonable, and therefore submit the following Resolution, viz.

*Ordered*, That a warrant issue on Thomas Smith, commissioner of the continental loan office for the commonwealth of Pensylvania, for the sum of eight thousand seven hundred and eleven dollars, specie, in bills of exchange drawn on the honorable John Jay, Esquire, minister plenipotentiary at the Court of Madrid, in favour of the Commercial Committee of Congress, to enable them to discharge their contract with the executors of Peter Chevalier, deceased, for bills of exchange drawn by the said executors on Duff and Welsh, merchants at Cadiz.[1]

On motion of Mr. [James] Duane, seconded by Mr. [Oliver] Ellsworth,

*Ordered*, That the letter, of 13 May, from General Washington, and the letter, of 16, from the Marquis de la Fayette, with the resolution passed in consequence thereof be published.

A letter, of 19, from Governor Lee, of Maryland, was read, with two resolutions of the general assembly of that State enclosed:

*Ordered*, That the same be referred to the Board of War.

Another letter, of 18, from Governor Lee was read:

*Ordered*, That it be referred to the Board of Treasury.

A letter, of 15, from the general assembly of Maryland, signed Daniel of St. Thomas Jenifer, president of the senate,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 305.

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and Josias Beall, speaker of the house [of] Delegates, was read:[1]

*Ordered*, That it be referred to the Board of War.

The committee, to whom was referred President Reed's letter, of 6th, brought in a report, which was taken into consideration, and thereupon,

*Resolved*, That in the opinion of Congress it is highly inexpedient for any of the states to permit the exportation of provisions to foreign parts, until the exigencies of the public service are more fully ascertained and provided for than at present.

That it be earnestly recommended to the Delaware State, again immediately to lay an embargo on the exportation of provisions from that State, and to continue the same until it shall be consistent with the public safety that the like embargoes should be discontinued in all the United States.

*Ordered*, That a copy of the foregoing resolutions be transmitted to the president of the Delaware State, and also to the president of the supreme executive council of Pensylvania, in answer to his letter of the 6th.

~~The supplies for the public exigencies shall be fully provided for agreeably to the resolution of Congress of the 25th of Feby. last.~~[2]

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. Allen Jones, a Delegate from the State of North Carolina, a warrant issue on the Treasurer in his favor for twenty thousand dollars, for which the said State is to be accountable.

That on the application of William Govett, one of the Commissioners of the Chamber of Accounts, a warrant issue

[1] Governor Lee's letter of the 19th is in the *Papers of the Continental Congress*, No. 70, folio 363; his letter of the 18th is on folio 359; the general assembly's letter is on folio 355.

[2] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 20, II, folio 83. From this point the entries are by George Bond, of the Secretary's Office.

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on the Treasurer in his favor, for fifteen thousand dollars, on account of his salary.[1]

Sundry resolutions were moved by Mr. [John Morin] Scott, seconded by Mr. [James] Duane, relative to the New Hampshire grants.

*Ordered*, That the consideration thereof be an order of the day for to morrow.

> *Resolved*, That the President communicate to his most Christian Majesty, through his Minister, the honorable the Chevalier de la Luzerne, the grateful sense that Congress entertain of his unremitted attention to the interests of these United States, evidenced by his many great and generous efforts in their behalf; and that his Minister be informed of the proceedings of Congress in consequence of his communications.[2]

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, MAY 23, 1780

Congress took into consideration the report of the Medical Committee, to whom was referred the letter from Governor Trumbull, of the 1st. inst.; and thereupon,

*Resolved*, That the director general, or in his absence, deputy director general, of the hospitals in the eastern district, be and he is hereby directed to hire a suitable house at or near the port of New London, in the State of Connecticut, for the reception of such sick American prisoners as shall, from time to time, be exchanged and landed in that neighbourhood; and that one senior surgeon or physician, and a suitable number of mates, be occasionally employed therein, as the number of sick shall increase or diminish.[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 305.

[2] This paragraph was entered only in the manuscript Secret (Domestic) Journal.

[3] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress*, No. 22, folio 87.

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*Resolved*, That the order of the day for taking into consideration the letter, of 16th instant, from the committee at headquarters, be postponed.

Mr. [William Churchill] Houston nominated Mr. Edward Fox for the office of commissioner of the chamber of accounts.

Agreeable to order, Congress took into consideration the following resolutions ~~relative to the New Hampshire grants, and the same being read,~~ moved by Mr. [John Morin] Scott, viz.

"Whereas Congress in and by certain resolutions, of the 24th day of September last, did, among other things, unanimously resolve to proceed on the first day of February then next without delay, to hear and examine into the disputes and differences relative to jurisdiction between the States of New Hampshire, Massachusetts bay and New York, respectively, or such of them who should pass laws for the purpose, on the one part, and the people of a certain district of country, commonly called the New Hampshire Grants, who claim to be a separate jurisdiction on the other; and after a full and fair hearing to decide and determine the same, according to equity; and Congress did thereby pledge their faith to execute and support their decisions and determinations in the premises; and did thereby also unanimously resolve that it was the duty of the people of the district aforesaid to abstain in the meantime from exercising any power over any of the inhabitants of the said district, who profess themselves to be citizens of, or owe allegiance to any, or either of the said states; and also that in the mean time the said three states ought, in the opinion of Congress, to suspend executing their laws over any of the inhabitants of the said district, except such of them as profess allegiance to, and confess the jurisdiction of the same, respectively. And further, that Congress would consider any violences committed against the tenor, true intent and meaning of the said resolution, as a breach of

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the peace of the Confederacy, which they were determined to keep and maintain. And whereas, Congress did thereby further unanimously resolve that, in their opinion, no unappropriated lands, or estates, which were, or might be adjudged forfeited or confiscated, lying in the said district, ought, until the final decision of Congress in the premises, to be granted or sold;

"And whereas, those of the people of the said district who assume to be a separate and independent State, ~~by the stile and title of the State of Vermont,~~ and to exercise a separate jurisdiction over the said district of country, ~~independent of the States of New Hampshire, Massachusetts Bay and New York,~~ having due notice of the said resolutions of Congress, did in general assembly by them assumed to be held at Manchester, within the said district, on the 20th day of October last, resolve to support their right to independence at Congress and to the world, in the character of a free and independent state, and did ~~then and there~~ also in direct contradiction to the said resolutions of Congress, resolve to make grants of all, or any part of the unappropriated lands within their jurisdiction, that ~~did~~ should not interfere with any former grants.

"And whereas, altho' the said States of New Hampshire and New York, respectively, did before the said first day of February last, pass such laws, as aforesaid, and by their agent and delegate in Congress have ever since that day ~~been and,~~ declared themselves ready to support their respective rights in the premises before Congress; and the people of the said district have by their agents refused to submit their claim of independence to the decision of Congress; and in defiance of the resolutions aforesaid, have proceeded to grant such lands as aforesaid, and others by them deemed confiscated, and in divers instances exercised civil and military authority over the persons and estates of certain inhabitants within the said



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district who profess themselves to be citizens of, and to owe allegiance to the said State of New York.

"And whereas Congress for these and other reasons, convinced of the necessity of bringing the said controversy concerning the premises to a full and fair hearing, examination, decision and determination, from which they have hitherto been prevented, for want of the actual representation in Congress of a sufficient number of states not interested in the said controversy, did, on the 17th instant, order that the President write to the executives of the states of Delaware and Maryland (being the two states now actually unrepresented in Congress) to send forward immediately, and to keep up a representation in Congress, as matters of the highest importance are now before them, ~~On the consideration of all and singular the premises,~~

"*Resolved, Therefore,* That the people inhabiting within the said district of country have in the aforesaid acts and transactions been, and by the perpetration of similar acts and transactions, or any others, contrary to the tenor, true intent and meaning of the above in part recited resolutions of Congress, will be guilty of a breach of the peace of the Confederacy of the United States of North America.

"*Resolved,* That these United States are bound to protect every of the said states in the full enjoyment of their rights and property against every usurpation or invasion whatsoever.

"*Resolved,* That in any future determination of the controversy in the premises by Congress concerning the property of soil within the said district by any other persons in the mode prescribed by such other parts of the said resolutions as are not herein above recited, all grants of land by the assumed government or authority of the people of the said district; and also all grants ~~of land~~ by the respective governments of the States of New Hampshire, Massachusetts Bay

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and New York, posterior to the said resolutions of Congress of the 24th day of September last, for any lands within the said district and prior to such determination as aforesaid, ought to be deemed, esteemed, taken and adjudged to be absolutely null and void.

"*Resolved*, That Congress will as soon as a sufficient number of these United States uninterested in the said controversy, to be determined by Congress, shall be actually represented, take up the same as the order of the day, and will proceed without delay to hear, examine and finally decide and determine the same, and will, pursuant to their said former resolutions, execute and support such their decision and determination."[1]

A motion was made by Mr. [William] Ellery, seconded by Mr. [Samuel] Holten, that the same be postponed.

And on the question for postponing, the yeas and nays were required by Mr. [John Morin] Scott,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | ay |
| Holten, | ay | |
| *Rhode Island,* | | |
| Mr. Ellery, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York,* | | |
| Mr. Scott, | no | no |
| Livingston, | no | |
| *New Jersey,* | | |
| Mr. Fell, | ay | div. |
| Houston, | no | |
| *Pennsylvania,* | | |
| Mr. Muhlenberg, | ay | ay |
| *Virginia,* | | |
| Mr. Jones, | ay | no |
| Henry, | no | |
| Walker, | no | |
| *North Carolina;* | | |
| Mr. Burke, | ay | ay |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch | ay | ay |
| *Georgia,* | | |
| Mr. Telfair, | ay | * |

So it passed in the affirmative.

[1] These resolutions and the preamble, in the writing of John Morin Scott, are in the *Papers of the Continental Congress*, No. 40, I, folio 333.

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A motion was then made by Mr. [Thomas] Burke, seconded by Mr. A[llen] Jones, in the words following, viz. "That the lands contained within the limits of the United States are, and of right ought to be under the jurisdiction of some one or other of the thirteen United States, and of no other power, and are and of right ought to be under the fœderal protection of the United States; and that the United States in Congress assembled are bound to employ the common forces and common powers in support of the jurisdiction of any of the said states, whenever the same shall be invaded or infringed." [1]

It was moved by Mr. [John] Fell, seconded by Mr. [William Churchill] Houston, to refer the above motion to a committee of three.

And on the question for referring, the yeas and nays were required by Mr. [William] Ellery,

| | | | | | |
|---|---|---|---|---|---|
| *Massachusetts Bay,* | | | *Pennsylvania,* | | |
| Mr. Lovell, | no | no | Mr. Muhlenberg, | ay | ay |
| Holten, | no | | *Virginia,* | | |
| *Rhode Island,* | | | Mr. Jones, | ay | ay |
| Mr. Ellery, | no | no | Henry, | ay | |
| *Connecticut,* | | | Walker, | ay | |
| Mr. Huntington, | ay | ay | *North Carolina,* | | |
| Ellsworth, | ay | | Mr. Burke, | ay | ay |
| *New York,* | | | Jones, | ay | |
| Mr. Scott, | ay | ay | *South Carolina,* | | |
| Livingston, | ay | | Mr. Kinloch, | ay | ay |
| *New Jersey,* | | | *Georgia,* | | |
| Mr. Fell, | ay | ay | Mr. Telfair, | ay | * |
| Houston, | ay | | | | |

So it was resolved in the affirmative.

The members chosen, Mr. [William Churchill] Houston, Mr. [James] Henry and Mr. [Thomas] Burke.

Mr. [John Morin] Scott, a delegate from the State of New York, laid before Congress an affidavit of Jonathan Hunt, of

[1] This motion, in the writing of Thomas Burke, is in the *Papers of the Continental Congress*, No. 36, I, folio 79*a*.

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Hinsdale, purporting "that he had been credibly informed and verily believes that the assumed government of the New Hampshire Grants, called Vermont, intends immediately after the first of June next to put their laws in execution over the persons and estates of the inhabitants of the said grants, and to exact from them an oath of allegiance to their pretended State", &c; Whereupon,[1]

*Ordered*, That the affidavit, together with the copy of a letter to his Excellency Governor Clinton, dated Brattlesborough, 2d May, 1780, and signed "By order of the committee from eleven towns, Samuel Minott, chairman," be referred to the above committee, and that they make report to morrow.

On the question for referring the above papers, the yeas and nays were required by Mr. [William] Ellery,

| | | |
|---|---|---|
| *Massachusetts Bay*, | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| *Rhode Island*, | | |
| Mr. Ellery, | no | no |
| *Connecticut*, | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York*, | | |
| Mr. Scott, | ay | ay |
| Livingston, | ay | |
| *New Jersey*, | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| *Pennsylvania*, | | |
| Mr. Muhlenberg, | ay | ay |
| *Virginia*, | | |
| Mr. Henry, | ay | ay |
| Walker, | ay | |
| *North Carolina*, | | |
| Mr. Burke, | ay | ay |
| A. Jones, | ay | |
| *South Carolina*, | | |
| Mr. Kinloch, | ay | ay |
| *Georgia*, | | |
| Mr. Telfair, | ay | * |

So it passed in the affirmative.

The Committee of Foreign Affairs delivered in a report.

Adjourned to 10 o'Clock to Morrow.

[1] This affidavit is in the *Papers of the Continental Congress*, No. 40, I, folio 337.

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**WEDNESDAY, MAY 24, 1780**

A memorial from David Henley in behalf of Otis and Henley was read:[1]

*Ordered,* That the same be referred to the Board of War.

A letter, of the 21st, from Mr. P[hilip] Schuyler, was read:[2]

*Ordered,* That it be referred to the Board of War.

The Board of Treasury, to whom was referred the report of the Committee of Foreign Affairs, relative to Samuel W. Stockton, lately ~~Secretary to~~ employed by the honourable W^m^. Lee, Esq. late commissioner of the United States, at the Courts of Vienna and Berlin, brought in a report, which was taken into consideration; and thereupon,

*Resolved,* That the said Samuel W. Stockton be allowed a salary, at the rate of ~~five~~ three hundred pounds sterling per annum, while he ~~served as Secretary to~~ was employed by the said William Lee ~~also that he be allowed his reasonable expenses in travelling from Boston to Philadelphia~~:

That he be debited with the monies which he has received from the said William Lee; and that the whole of the papers be referred to the auditor general, in order that the account ~~of the said Samuel Stockton~~ may be liquidated, agreeably to the principles aforesaid.[3]

On the question to agree to the foregoing resolution, the yeas and nays were required by Mr. [John] Fell,

| | | | | | |
|---|---|---|---|---|---|
| *New Hampshire,* | | | *Rhode Island,* | | |
| Mr. Folsom, | ay | ay | Mr. Ellery, | ay | ay |
| *Massachusetts,* | | | *Connecticut,* | | |
| Mr. Lovell, | ay | ay | Mr. Huntington, | ay | ay |
| Holten, | ay | | Ellsworth, | ay | |

[1] This memorial, dated May 22, 1780, is in the *Papers of the Continental Congress,* No. 41, IV, folio 115; the letter transmitting it is in No. 78, XII, folio 29.

[2] This letter is in the *Papers of the Continental Congress,* No. 153, III, folio 523.

[3] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 311.

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| | | |
|---|---|---|
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Scott, | ay | |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | no | div |
| Houston, | ay | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| *Virginia,* | | |
| Mr. Griffin, | ay | ay |
| Henry, | ay | |
| J. Jones, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. Burke | ay | ay |
| A. Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |

So it passed in the affirmative.

The committee appointed to confer with the joint committees of the supreme executive council, and the general assembly of the Commonwealth of Pensylvania, on the subjects mentioned in the extract from the minutes of the said general assembly, of the 20th instant, delivered in a report, which was read; Whereupon,

The Committee appointed to confer with the joint Committees of the Supreme Executive Council, and the General assembly of the Commonweath of Pennsylvania on the subjects mentioned in the extract from the minutes of the said General assembly of the 20th Instant, beg leave to Report the substance of the conference as follows.

The joint Committees of the Council and assembly stated to your Committee

That since the opening of the Continental Loan offices upwards of twenty millions of Dollars have been deposited in that established in the Commonwealth of Pennsylvania, more than sixteen millions of which have been lent by the Inhabitants of the said Commonwealth.

That the principal of many of the said certificates taken out early is now become due and payable, according to the terms of the Loan, and the Holders of them are at a total uncertainty, what interest they shall receive if they continue the principal in the funds, or what value they are to be paid for the money deposited and now become due.

That great uneasiness prevails among the people from the consideration that they have no means of ascertaining the value of

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their Loan office certificates in general, Congress not having fixed any rule by which it can be determined, as they have in the case of the Bills of credit.

That designing persons take advantage of these circumstances to obtain the said certificates from the ignorant and credulous at an enormous discount, and persons disaffected to the cause of America avail themselves of this occasion to alienate the minds of the people by false and injurious suggestions, that Congress mean to deprive them of their property by refusing payment, even of the equitable value of the monies they have deposited.

That the ascertainment of the terms on which the principal and Interest of the said Certificates are to be paid, will not only conciliate the minds of the people who have a right to expect such satisfaction, but will give effectual encouragement to further Loans, which may at this time greatly promote the public Service.

That the present uncertainty and fears of the people create a greater circulation of the said certificates, than would otherwise take place, many wishing to transfer them in order to avoid a dreaded loss, and others purchasing them at an unjust gainful discount on mere principles of speculation.

With respect to the notes given by the purchasers in the Departments of the Quarter Master and Commissary General they observe,

That the debts in general have been long due, and the creditours have already suffered greatly by delay of payment, and the depreciation of the currency.

That it is not only just that payment should be made, but if it be not made many persons will be unable to discharge their public Taxes, and those who are able, but unwilling, take advantage of so plausible a Justification, and create unsurmountable difficulties in the collection.

That if the said notes cannot be paid in the usual course by issues from the Continental Treasury, could they be received in the payment of Taxes, it would relieve those who must otherwise be unavoidably distressed; would facilitate the collection of Taxes, promote the public service by giving satisfaction to the people and enable Congress or the State to obtain further supplies on credit should the same be necessary.

That the Legislature are willing to provide by law, as far as it is possible such checks and restrictions as may provide against impositions and prevent the said notes circulating as a currency.

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On the whole the joint Committees on behalf of the said Council and assembly earnestly entreat that Congress would pay immediate attention to these objects, greatly interesting to the State, as well as the public service and your Committee submit the propriety of appointing a Committee to Report the necessary resolutions for the approbation of Congress.[1]

On motion of Mr. [Oliver] Ellsworth, seconded by Mr. [Samuel] Holten,

*Resolved,* That a committee of three be appointed, to take into consideration the outstanding debts due from the commissary and quarter master general's departments, for which certificates have been given of the ballances due, and report further means for discharging the same.

The members chosen, Mr. [Oliver] Ellsworth, Mr. [William Churchill] Houston and Mr. [James] Henry.

The committee, to whom was referred the memorial of James Wilson, Esquire, respecting the *Sandwich* Packet, delivered in a report, which was read and taken into consideration; Whereupon,

The Committee to whom were Referred the Memorial of James Wilson Esq. in behalf of the Commissioners of the Admiralty of the United States, respecting the *Sandwich* Packet and the papers accompanying the said Memorial having considered the same beg leave to submit the following resolutions.

*Resolved,* That the Memorial of James Wilson Esq. in behalf of the Commissioners of the Admiralty of the United States respecting the *Sandwich* Packet, *and the papers accompanying the said Memorial,* be transmitted to the Court of Appeals to hear, try, and determine all appeals, from the Courts of Admiralty in the states respectively in cases of capture, *and lodged with the Register of the said court of Appeals.*

*Resolved,* That the 6th Article of the Resolutions of Congress passed on the 25th Day of November 1775, so far as it requires, that appeals in Maritime causes shall be lodged with the Secretary of Congress, be and the same hereby is repealed, and that in future all

[1] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress,* No. 20, II, folio 79.

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appeals in maritime causes be lodged with the Register of the said Court of Appeals.[1]

*Resolved*, That the stile of the Court of Appeals appointed by Congress, be, "The Court of Appeals in Cases of Capture."

*Resolved*, That the judges and register of the said Court, shall respectively take an oath of office before they enter upon the duties of the same.

That the oath of the judges be in the words following, viz.

"You do swear or affirm, ~~that you will take no fee, gift or reward of any one that hath to do before you, nor give counsell to any one in a matter that may touch any cause which shall be brought before you for trial: And that you will do right to every person according to the best of your skill and judgment. So help you God.~~ [that you will well, faithfully and impartially execute the office of one of the judges of the Court of Appeals in Cases of Capture, according to the best of your skill and judgment. So help you God.]"

That the oath of the register of the said Court shall be in the words following:

"~~You do swear that you will truly and faithfully serve in the office of Register of the Court of appeals in cases of capture, and to the utmost of your endeavour keep and conserve the papers and records which either now or hereafter shall be committed to your charge as Register as aforesaid from harm and damage, and that you will not suffer any of the same to be purloined embezzled or defaced, and that you will do all things else which belong to the duties of said office. So help you God.~~ "[You do swear or affirm, that you will well and faithfully execute the office of register of the Court of Appeals in Cases of Capture, according to the best of your skill and judgment. So help you God.]"

That the judges of the said Court shall be qualified in the manner aforesaid, before the President of Congress, and certificates thereof lodged in the office of the secretary of Congress; and that the register shall be qualified before the said

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 29, folio 389. It is endorsed "Recommitted."

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judges, and certificate thereof lodged in the said Court of Appeals.

*Resolved,* That appeals from the courts of admiralty in the respective states, be, as heretofore, demanded within five days after definitive sentence; and in future such appeals be lodged with the register of the Court of Appeals in cases of capture within forty days thereafter, provided the party appealing shall give security to prosecute such appeal to effect.

*Resolved,* That all matters respecting appeals in cases of capture, now depending before Congress, or the commissioners of appeals, consisting of members of Congress, be referred to the newly erected Court of Appeals, to be there adjudged and determined according to law; and that all papers touching appeals in cases of capture, lodged in the office of the secretary of Congress, be delivered to and lodged with the register of the Court of Appeals.

*Resolved,* That the memorial of James Wilson, in behalf of the commissioners of the admiralty of the United States, respecting the *Sandwich* Packet, and the papers accompanying the said memorial, be transmitted to the said Court of Appeals.[1]

The committee to whom was referred the letter of the 16th instant, from Governor Livingston, delivered in a report.

TREASURY OFFICE *May 24 1780*

Whereas the printing of the Tickets or billets of the fourth Class of the United States Lottery will be attended with great expense, and occasion unnecessary delay—therefore

Resolved that the Tickets which were issued for the 3rd Class, be reissued for the fourth in the manner following to wit—

[1] This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, VI, folio 569, the paragraphs in brackets being in the writing of James Duane; a draft, of all except the last three paragraphs, in the writing of James Duane, is in No. 29, folio 387, indorsed by Thomson: "May 5, 1780, referred to Mr. Duane, Mr. Ellery, Mr. Henry."

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**The adventurers in the *Third Class* who desire to renew in the Fourth shall present their Tickets to the Managers or their Agents on or before a day to be appointed by the Board of Treasury which shall not be sooner than six weeks after the publication of the Prize list of the Third Class.**

**That every Manager or Agent to whom such Tickets shall be presented indorse thereon *the words renewed* in the fourth Class, for** value or for payment of Prize of forty dollars (as the case may be) and subscribe his name; and, registering the number, shall return the same to the Holder.

Where a Prize Ticket exceeds forty dollars the Manager or Agent receiving it, shall give a Receipt therefor as has been accustomed and therein certify the renewal if required.[1]

Adjourned to 10 o'Clock to Morrow.[2]

### THURSDAY, MAY 25, 1780

A letter from the Board of Admiralty was read, enclosing a letter from Francis Hopkinson:[3]

*Ordered,* That the same be referred to the Board of Treasury.

A letter, of 21 May, from Tench Tilghman to L. Pintard, Esquire, was laid before Congress and read:

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. [Oliver] Ellsworth and Mr. [William] Ellery.

A letter, of 11, and one, of 18, from Baron d'Uglaa were read.

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, MAY 26, 1780

A petition of Thomas Shuker was read:

*Ordered,* That it be referred to the Board of Admiralty.

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 313. It is indorsed: "5 ays, 5 noes; one divided; negatived July 17, 1780."

[2] Here Charles Thomson resumes the entries.

[3] See *post* October 27.

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A letter from the Board of Admiralty was read, enclosing a letter, of 14 February from Edward Bronvill, respecting the recapture of the sloop *Fly*, and sundry other papers:

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Cyrus] Griffin, Mr. [William] Ellery and Mr. [Oliver] Ellsworth.

A memorial of G. Measam was read:[1]

*Ordered*, That it be referred to the Board of Treasury.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR. *May 25. 1780*

Present. Col. Pickering Mr. Peters Col Grayson.

The Board having considered the letter from Genl Schuyler referred to them by Congress, beg leave to report

*Resolved*, That three months pay amounting to one hundred and ten thousand dollars be furnished the quartermaster general to pay the batteau men, who are engaged at Albany to serve for the campaign, and that the Treasury Board be directed to report the means of procuring the money.

The Board request the favor of Congress to appoint a committee to confer with them on the memorial of Col. Henley, on behalf of Otis and Henley, as these Gentlemen and the Board differ in their ideas of the orders issued to them by the Board, for the purchase of clothing, and therefore they would wish not to determine the matter. Indeed it would give great satisfaction to the Board if the Committee were to report on the business and therefore request Congress to order

*Resolved*, That the Board of War be, at their request, discharged from reporting on the memorial of Colonel David Henley, on behalf of Otis and Henley; and that a committee of three be appointed to confer with the said Board on the subject, and report to Congress on the matter.[2]

[1] This memorial, dated May 20, 1780, is in the *Papers of the Continental Congress*, No. 41, VI, folio 171.

[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 361.

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The members chosen, Mr. [James] Searle, Mr. [John] Walker and Mr. [William Churchill] Houston.

AT A BOARD OF WAR *May 25. 1780*

Present Col. Pickering Mr. Peters Col Grayson.

The Board having considered the memorial of Major Eustace requesting he may be allowed the benefit of the compensation granted by Congress on the 10th April last; beg leave to observe

That there are great numbers of Officers and soldiers not now in service who have suffered with Major Eustace by the depreciation of the Continental Bills of credit, and of course would be alike entitled to a compensation. But by the resolve above referred to, the point appears to have been considered and decided, that the benefit shall be confined to those, who were then, or should thereafter be in service: and Major Eustace having before that day resigned his commission, the Board are of opinion, he cannot consistently be relieved, unless Congress should extend the benefit to all who were similarly circumstanced. The Board therefore beg leave to report the following resolve

*Resolved,* That the request contained in the memorial of John Skey Eustace, late a major in the army of the United States, to be allowed the benefits of the resolution of the 10 of April last, for making good to the army the deficiency of their original pay, occasioned by the depreciation of the continental bills of credit, cannot be granted.[1]

The committee, to whom was referred the letter of 21st, from T. Tilghman, delivered in a report, which being read,

*Resolved,* That the mode of carrying into effect the resolution of Congress of the 21 of April last, respecting an agent or commissary of prisoners, be submitted to the discretion of the Commander in Chief.[2]

The committee, appointed to take into consideration the outstanding debts due from the commissary and quarter master general's departments, &c.; and

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 369.

[2] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 19, VI, folio 39.

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The committee appointed to confer with the Minister of France on the subject of supplies; and also

The committee, to whom was referred the motion, of the 23rd, respecting lands within the bounds of the United States, delivered in their several reports.

Congress took into consideration the report on the outstanding debts; and thereupon came to the following resolutions:

Whereas it is represented that large arrears are due to the inhabitants of sundry of these states for provisions, forage, and other articles, furnished by them to the departments of the[1] commissary general of purchases, and quarter master general, for the public service, and for which they have received notes or certificates, signed by persons appointed to purchase the said articles, the payment whereof hath been delayed, to the prejudice of many of the holders, and ~~[Whereas it is represented that the receipt of the said notes or certificates in discharge of public taxes would greatly tend to the relief and convenience of the people, and also facilitate an early settlement of the public accounts]~~ for which money cannot, in the present circumstances, be issued from the Treasury: therefore,

*Resolved*, That it be recommended to the legislatures of the respective states wherein such notes or certificates have been heretofore given, and remain unpaid, to empower the collectors of the continental taxes, due to the first of March last, to receive in payment thereof such notes or certificates, from the persons in whose names they have been given, on the following conditions:

That the persons paying in the said notes or certificates, endorse the same to the collectors, who may receive them, and also take an oath or affirmation before a magistrate, that they have been obtained for the value and the articles

[1] From this point the entries are made by George Bond, of the Secretary's Office.

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therein expressed, delivered for the use of the United States, and for which no payment hath been made; which oath or affirmation shall be endorsed on each note or certificate:

That in cases where the notes or certificates held by any person, shall exceed the amount of the taxes due from such person, at the time they are paid in, the surplus be credited by the State to such person, and allowed in future taxes, under such checks and securities as the respective legislatures may think best suited to their different modes of collection; and that such surplus bear an interest of six per cent. till thus discounted.

On passing the foregoing paragraph, the yeas and nays were required by Mr. [William] Ellery,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | div. |
| Holten, | no | |
| *Rhode Island,* | | |
| Mr. Ellery, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York,* | | |
| Mr. Duane, | no | ay |
| Scott, | ay | |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| *Virginia,* | | |
| Mr. Henry, | ay | ay |
| Jones, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. Burke, | ay | ay |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| *Georgia,* | | |
| Mr. Telfair, | ay | * |

So it passed in the affirmative.

*Resolved,* That the said notes or certificates, so endorsed and received by the collectors as aforesaid, being by the treasurer of such State delivered to the principals of the respective departments, from whom payment is due, or their agents in

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the city of Philadelphia, and the receipts of the said principals or agents, making the principals accountable for the amount of the notes or certificates paid in as aforesaid, being lodged with the Board of Treasury of the United States; the respective states shall thereupon have credit for the same on their quotas of taxes due to the first of March last; and if the amount shall, in any case, exceed the said quotas, the balances shall be paid to the respective states to whom they may be due:

Provided that nothing contained in the foregoing resolutions shall be construed to exonerate any State from the payment of orders already drawn, or to affect the requisition of Congress of the 19th day of the present month.[1]

On the question to agree to the foregoing resolution, exclusive of the proviso, the yeas and nays were required by Mr. [William] Ellery,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | ay |
| Holten, | ay | |
| *Rhode Island,* | | |
| Mr. Ellery, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Scott, | ay | |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| *Virginia,* | | |
| Mr. Henry, | ay | ay |
| Jones, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. Burke, | ay | ay |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |

So it passed in the affirmative.[2]

[1] This report, in the writing of William Churchill Houston, except the last paragraph which is in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 29, folio 149. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed on the 13th of April, 1780, folio 4.

[2] Here Charles Thomson resumes the entries.



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A vote was then taken on the providing clause, and passed in the affirmative. After which the whole passed without a division.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY, MAY 27, 1780

A report of the Board of War was read; Whereupon,

*Resolved*, That the resignation of Ensign John M'Guire, of the 3d Maryland regiment, be accepted.[1]

Whereas it appears to Congress, by a representation from the Commercial Committee, that thirteen invoices of goods have been shiped in the years 1777 and 1778, from Bilboa, by Messrs. Gardoqui and sons, by order of Arthur Lee, Esq. in the following vessels, viz. the *Lydia*, Captain Andrews, *Alexander*, Captain Williamson, *Charlotte*, Captain Sinclair, *Success*, Captain Gerrish, *Neptune*, Captain Lee, *Tabby*, Captain Hodges, *John*, Captain Woodberry, *Wennesly Deal*, Captain Vickory, *Nancy*, Captain Ingersol, *George*, Captain Knight, *Lively*, Captain Dupee, *Hawk*, Captain Smith, and *Scorpion*, Captain Ivis:

And whereas the said goods were expressed by the invoices to be on account of Elbridge Gerry, Esq. and such part thereof as arrived safe has been received by James Warren, Esq. the public agent, to whom they were addressed:

*Resolved*, That the said Elbridge Gerry, Esq. be indemnified by the United States from any cost or charges that have been or shall be made against him on account of the goods so shipped, and that any claims relative thereto be exhibited to the Commercial Committee of Congress.

Congress took into consideration the report of the committee appointed to confer with the honorable the Minister of France; and thereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 365.

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The Committee appointed to confer with the Minister of France on the subject of supplies and other matters mentioned in their appointment humbly Report.

That in their first conference with the Minister he mentioned his solicitude to procure the necessary provisions for the fleet and army of his Most Christian Majesty That he wished to render every step that he should take on this subject conformable to the designs of Congress, and conducive to the support of the combined forces. That he would therefore lay before the Com. the measures that he had already entered into and was desirous to agree upon any plan for our mutual benefit which we should think it proper to adopt.

That previous to our appointment the moments being precious he had despatched an agent to consult the Commander in Chief and Genl. Greene on the subject of supplies, and would inform us of their sentiments at his return.

That lest his purchases might interfere with those which the States should make on account of the Continent he had thought it most adviseable to let the whole business pass through their hands, and had accordingly written to Gov. Trumbull for a limited supply of beef pork and mutton leaving it to his option either to be paid in bills upon France, Specie, or Continental bills of credit.

The Committee have stated this information that Congress may if they should find it necessary give them their directions before they digest any plan with the Minister of France on the return of his agent.

The Committee conceive the establishment of Posts and expresses who shall bring the earliest intelligence of the arrival of the fleet of our ally and the motions of the Enemy as so necessary to the right application of our force that they submit the following Resolution.

*Resolved*, that the Committee of Intelligence be directed to establish regular Posts to and from the different parts of the Sea coasts of this Continent from Charlestown to Boston in such manner as will most effectually procure information of the approach of the fleet of our ally, and the movements of the enemy in consequence thereof.

**Postponed.**

The Committee are further of opinion from the representations of the minister of France that every means should be used to add to the strength of the fleet of our Ally on their arrival, particularly by completing the Ship *America*, since it is highly probable that the naval force which the enemy may send to this Coast in order to frustrate the friendly endeavors of our ally in our behalf will be adapted to that

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of France without taking into the calculation any additions which it may receive here. They therefore submit the following resolutions.

*Resolved*, That the Board of Admiralty be directed to fit for sea, with the utmost expedition, the several ships of war and frigates now in port:

That it be earnestly recommended to the respective states, within whose ports any of the said ships or frigates may be, to afford every assistance to the Board of Admiralty, on their application for artificers, labourers and materials for preparing the same for sea, and for compleating their complement of men.

*Resolved*, That Congress will defray every necessary expence which any State shall incur in consequence of the above resolution.

*Resolved* that the Board of Admiralty be empowered if they shall think it adviseable to dispose of the *Saratoga* and to apply the proceeds thereof to complete the *America* or any of the Frigates which may by that means be shortly fitted for Sea.

And whereas it is proper to make provision for repairing ~~(as far as our circumstances will admit)~~ any damages which the fleets of our allies may sustain ~~in their or after their arrival~~ by storms or otherwise:

*Resolved*, That the Board of Admiralty be directed to cause as many masts, yards and spars as they shall deem necessary for the above purpose, ~~and can conveniently be procured to be prepared and laid up for use in some ports to the eastward of Pennsylvania~~ to be procured:

That the Board of Admiralty be also directed to settle signals with the commanding officer of any ship or ships of our ally, which may now or shall hereafter be, upon the coasts of the United States. And,

For the promoting of harmony and forwarding the common views of France and America:

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It was farther agreed between the Minister of France and your Committee that they should suggest to Congress the propriety of adopting measures to prevent desertion from the fleet and army of our allies. In which view they humbly submit the following Resolution.

*Resolved,* That it be recommended to the legislatures of these United States to pass laws for the punishment of such persons as shall encourage desertions from the fleets or armies of any foreign power who shall prosecute the war in America in conjunction with these United States, and for recovering such deserters as shall endeavour to conceal themselves among the inhabitants.[1]

*Ordered,* That so much of the report as relates to the disposal of the *Saratoga* be referred to the Board of Admiralty, and that the remainder be postponed.

A report from the Board of Admiralty was read, wherein they propose,

BOARD OF ADMIRALTY *May 26th 1780.*

The Board beg leave to Represent to Congress, that the hull of the seventy four gun ship now building at Portsmouth in New Hampshire might if money could be procured for that purpose, be completely finished the ensuing summer and in that case, if the expected fleet of our ally could furnish out the stores necessary for her equipment, she might cooperate with the said Fleet, and give it a decided superiority over the Enemy.

The Board would further represent that they have the best reason to believe, that it is the earnest wish of the Honble the Minister of France, that the hull of the said ship might be finished and such materials collected for her as may be in the power of the Board to procure, and also that our frigates may be prepared for sea with all possible expedition.

In order to accomplish these important objects, the Board beg leave to propose the following resolution.

[1] This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress,* No. 25, I, folio 197. It was transcribed in part in the *Papers of the Continental Congress,* Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780.

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**That the Board of Admiralty be authorised to receive three hundred hogsheads of the sugar and thirty hogsheads of the rum remaining in the hands of John Bradford, Esquire, continental agent in Boston, and to dispose of the same in** such manner as they shall judge proper for compleating the hull of the 74 gun ship building at Portsmouth in New Hampshire, and collecting such materials for her equipment as can be procured, and also for finishing and equipping the *Bourbon*, and fitting the other frigates for sea with all possible dispatch.[1]

The same being read, and for some time debated,

A motion was made by Mr. [James] Duane, seconded by Mr. [Thomas] Burke, to postpone the farther consideration thereof, and on the question for postponing, the yeas and nays being required by Mr. [William] Ellery,

| | | | | | |
|---|---|---|---|---|---|
| *New Hampshire,* | | | *Pennsylvania,* | | |
| Mr. Folsom, | no | no | Mr. Searle, | no | no |
| *Massachusetts Bay,* | | | *Virginia,* | | |
| Mr. Lovell, | ay | ay | Mr. Jones, | ay | ay |
| Holten, | ay | | Madison, | no | |
| *Rhode Island,* | | | Walker, | ay | |
| Mr. Ellery, | no | no | *North Carolina,* | | |
| *Connecticut,* | | | Mr. Burke, | ay | ay |
| Mr. Huntington, | no | div. | Jones, | ay | |
| Ellsworth, | ay | | *South Carolina,* | | |
| *New York,* | | | Mr. Kinloch, | ay | ay |
| Mr. Duane, | ay | ay | *Georgia,* | | |
| Scott, | ay | | Mr. Telfair, | ay | * |

So it was resolved in the affirmative.

On motion of Mr. [James] Duane, seconded by Mr. [Nathaniel] Folsom,

*Resolved,* That 300 hogsheads of the sugars in the hands of John Bradford, continental agent at Boston, be by him converted into money, and the same transmitted to the conti-

[1] This report is in the *Papers of the Continental Congress*, No. 37, folio 247.

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nental treasury, without loss of time; notwithstanding any former resolution of Congress to the contrary.

Adjourned to 10 o'Clock on Monday.

### MONDAY, MAY 29, 1780

A letter, of 8, from President Weare, of the State of New Hampshire, was read, inclosing an act passed by the legislature of that State, pursuant to the resolutions and recommendations of 18 March last:

The delegates of Massachusetts Bay laid before Congress an act of the legislature of that State, in pursuance of the said resolutions of 18 March.

*Ordered,* That they be referred to the Board of Treasury.

A letter, of this day, and one of 27, from the Board of War, were read, with sundry papers:[1]

*Ordered,* That they be referred to a committee of three.

The members chosen, Mr. [James] Duane, Mr. [Oliver] Ellsworth, and Mr. [William] Ellery.

Congress took into consideration the report of the committee on sundry papers, respecting the inhabitants of the New Hampshire grants, and having made some progress,

*Ordered,* That the farther consideration thereof be postponed till to morrow.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, MAY 30, 1780

Mr. [John] Armstrong, a delegate for Pensylvania, attended and took his seat in Congress.

A memorial of John M'Allister was read, enclosing a copy of the record of his trial and acquittal by the verdict of a jury, upon an indictment for the frauds mentioned in the resolution of Congress of the 22 June, 1779.[2]

[1] The letter of May 29 is in the *Papers of the Continental Congress*, No. 148, I, folio 95.

[2] This memorial, dated May 30, 1780, is in the *Papers of the Continental Congress*, No. 41, VI, folio 179.

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A memorial from the officers of the 5th New York regiment was read; Whereupon,[1]

On motion of Mr. [Thomas] Burke, seconded by Mr. [Allen?] Jones,

*Resolved*, That it is not expedient at present to make any partial reduction in the army of the United States.[2]

*Ordered*, That the committee, to whom was referred the report of the committee sent to headquarters, be discharged from reporting on so much thereof as relates to the reduction of any part of the army.

A letter, of 29, from W. Govett, R. Smith, W. Geddes, John D. Mercier, commissioners of the chambers of accounts, was read, with sundry papers enclosed.[3]

*Ordered*, That they be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. J[oseph] Jones and Mr. [Abraham] Clark.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR, *May 30. 1780*

Present Col Pickering Mr Peters Col Grayson

The Board having considered the letter of 12th inst: from Colo Bailey, Commandant of the fourth Massachusetts Brigade, requesting to be appointed a Brigadier, beg leave, for the information of Congress to observe, that there are already two Major and three Brigadier Generals belonging to Massachusetts Bay. That the infantry of that State are greatly reduced in numbers, the whole four brigades, into which they are now divided, amounting in rank and file but to two thousand four hundred and sixty two, exclusive of Colo Jackson's additional Regiment of Three hundred and six rank and file. And that the Brigade Commanded by Colo Bailey, consists but of three Regiments and contains no more than five hundred and fifty five rank and file. Upon considering these facts and the certainty that the infantry of Massachusetts Bay will not exceed the numbers requi-

[1] This memorial, dated May 25, 1780, is in the *Papers of the Continental Congress*, No. 41, VII, folio 275.

[2] This resolution was transcribed in the *Papers of the Continental Congress*, Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 5.

[3] This letter is in the *Papers of the Continental Congress*, No. 58, folio 303.

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site to form three Brigades, the Board are of opinion that it is not expedient to appoint another Brigadier of that State, And therefore Report

*Resolved*, That Colonel John Bailey be informed, that, from a consideration of all circumstances, Congress do not judge it expedient at present to appoint another brigadier from the line of the troops of Massachusetts Bay.[1]

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, MAY 31, 1780

A letter of 27th, from General Washington, and one, of 28, from the committee at head quarters, were read:[2]

*Ordered*, That the letter from General Washington be referred to a committee of three:

The members chosen, Mr. [Oliver] Ellsworth, Mr. [John] Armstrong and Mr. [James] Duane.

*Ordered*, That the committee be instructed to confer on the subject of the letter with a committee of the general assembly and supreme executive council of Pensylvania.

The delegates from New York laid before Congress a letter, of 25, from Governor Clinton to General Schuyler, with sundry papers enclosed, which were read:[3]

*Ordered*, That they be referred to the Board of War.

A memorial of Major C. Holmer was read:[4]

*Ordered*, That it be referred to the Board of War.

A report from the Board of Treasury was read; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 373.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 579. It is printed in the *Writings of Washington* (Ford), VIII, 288. The letter from the Committee at Headquarters is in No. 39, I, folio 36. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 25.

[3] This letter is in the *Papers of the Continental Congress*, No. 67, II, folio 264.

[4] This memorial, undated, is in the *Papers of the Continental Congress*, No. 41, IV, folio 111.

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*Ordered*, That, on the application of Mr. [Elbridge] Gerry, Mr. [Samuel] Holten and Mr. [James] Lovell, delegates for the State of Massachusetts Bay, a warrant issue on the treasurer, in their favour, for eighteen hundred dollars; for which the said State is to be accountable:[1]

That, on the application of James Wilkinson, cloathier general, approved by the Board of War, a warrant issue on Joseph Borden, commissioner of the continental loan office for the State of New Jersey, in his favour, for fifty four thousand dollars, for the use of the hide department, and for which the said James Wilkinson is to be accountable:

That a warrant issue on Gerard Bancker, treasurer of the State of New York, in favour of Charles Pettit, assistant quarter master general, on account of Nathaniel Greene, quarter master general, for one hundred and ten thousand dollars (part of the monies raised in the said State for the use of the United States), for the purpose of paying three months' pay to the batteau men who are engaged at Albany, to serve for the campaign; and for which the said Nathaniel Greene is to be accountable.[2]

Treasury Office, May 30, 1780.

The Board of Treasury Report,

That the resolution of the 19th Instant relative to drawing Bills of Exchange does not direct or empower the Treasury Board to draw the said bills on Doctor Franklin or Mr Jay by any official Title or description, nor to direct them so as that they may be presented to their successors in office. The Board presuming the Intention of Congress to be that the draughts should be, Eventually, on the respective Ministers for the time being, submit the following resolution:

*Resolved*, That the Board of Treasury be empowered to address the bills of exchange, directed to be drawn by the resolution of the 19th of the present month, to the persons on whom they are directed to be drawn, respec-

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 319.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 315.

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tively, or to the ministers at the respective Courts of Versailles and Madrid.

The Board further report,

That no resolution of Congress appears to them to have directed advice, relative to those particular Bills, to be given—, and submit the following resolution:

*Resolved,* That the Committee of Foreign Affairs be directed to transmit letters of advice to the honourable Benjamin Franklin, and the honourable John Jay, respecting the bills directed to be drawn on them by the resolution of the 19th of the present month.[1]

The Committee of Foreign Affairs, having brought in a report, the same was taken into consideration; Whereupon,

May 23d, 1780.

The Committee of Foreign Affairs beg leave to report,

That they have considered that Part of the Letter, of the 4th March last, from the Minister Plenipotentiary of the United States at the Court of Versailles which relates to the three Prizes taken by the Squadron lately commanded by Capt. J. P. Jones, sent into the Port of Bergen in Norway, and there, by an order of the Court of Denmark at the instance of the British Minister, seized and returned: —that they have also considered the Copy of a Memorial which the said Minister Plenipotentiary of these states hath addressed to the Danish Court reclaiming the said Prizes, or their value:—and thereupon submit the following resolutions:

*Resolved,* That Congress fully approve the conduct of their minister at the Court of Versailles in reclaiming the prizes which were taken by the squadron lately commanded by Captain John Paul Jones, and sent into the port of Bergen, in Norway; and there, by an order of the Court of Denmark, at the instance of the British minister, seized and returned.

[1] These resolutions were also entered in the manuscript Secret Journal, Foreign Affairs. The report is in the *Papers of the Continental Congress*, No. 136, IV, folio 317.

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That the said minister be instructed to pursue such further measures for the recovery of the said prizes, or satisfaction for their detention, as he may judge most conformable to the views of Congress, who are determined ~~firmly~~ to ~~contend for~~ assert the rights of a sovereign, independent nation. ~~though it is their wish to do it in such manner as, if possible, to avoid giving umbrage to other Powers.~~

N. B. *The Committee wish to inform Dr Franklin* That Congress entertain a favorable opinion of M de Chezault his most Christian Majesty's Consul at the Port of Bergen for his attention to the Interests of the Citizens of these States manifested on this occasion

Approved.

The Committee further Report.

*Resolved,* That the establishment of the salaries of the honourable John Adams, and his secretary Mr. Dana, be transmitted to the minister plenipotentiary of these states at the Court of Versailles, and that he be directed to pay their drafts to the amount of their respective salaries, till Congress shall take further order for that purpose.[1]

Adjourned to 10 o'Clock to Morrow.

## THURSDAY, JUNE 1, 1780

Mr. Benjamin Huntington, a delegate for Connecticut, attended and took his seat in Congress.

Mr. T[imothy] Matlack, a delegate for Pensylvania, attended, when the credentials of the delegates of that State were read, as follows:

His Excellency the President and Council of the State of Pennsylvania To all to whom these presents shall come send Greeting [SEAL]

Whereas the General Assembly of Representatives of the Freemen of the Commonwealth of Pennsylvania have elected Jared Ingersoll

[1] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 25, I, folio 307. The resolutions were also entered in the manuscript Secret Journal, Foreign Affairs.

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and Timothy Matlack Esquires in addition to John Armstrong, James Searle, James McClean and Frederick A. Muhlenburgh Esquires to represent the said State in Congress and hath made the same known to us: These are therefore to certify, that the said Jared Ingersoll and Timothy Matlack Esquires are added to the said John Armstrong, James Searle, James McClean and Frederick A. Muhlenburgh Esquires to represent the Freemen of the State of Pennsylvania in the Congress of the United States of America.

Given under the Hand of His Excellency Joseph Reed Esquire, President and the Seal of the State at Philadelphia this first day of June A. D. 1780.

JOS: REED
*President*

Attest
T. MATLACK
*Secy*[1]

A petition of George Dentzle was read:

*Ordered,* That it be referred to the Board of War.

The delegates for South Carolina laid before Congress a letter, of 30 April, to them from Governor Rutledge, which was read:

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Francis] Kinloch, Mr. [Thomas] Burke and Mr. [James] Madison.

The following gentlemen were put in nomination for commissioners of the chambers of accounts:

Mr. Joseph Bullock, by Mr. [James] Searle;

Mr. Jonathan Burrall and Mr. John Nicholson, by Mr. [Thomas] Burke.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Charles Thomson, secretary, a warrant issue on the treasurer, in his favour, for twenty thousand dollars, on account of his salary.

[1] The original is in the *Papers of the Continental Congress*, Pennsylvania, *Credentials of Delegates*.

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That on the application of Charles Lee, secretary to the Board of Treasury, a warrant issue on the treasurer, in his favour, for ten thousand dollars, on account of his salary.

That on the application of Messrs. [George] Walton, [Edward] Telfair and [William] Few, delegates for the State of Georgia, a warrant issue on the treasurer, in their favour, for thirty thousand dollars; for which the said State is to be accountable.[1]

A memorial of Gabriel Ogden was read:[2]

*Ordered,* That it be referred to the Board of Treasury.

A report from the Board of War on the letter, of 27 May, from Governor Clinton, and the letter, of 28 May, from President Weare, was read; Whereupon,

*Resolved,* That a post be established at Shoheken, in the county of Ulster, in the State of New York, and maintained at the expence of the United States.

That the said garrison be under the particular direction and superintendance of his excellency Governor Clinton, subject however to the orders of the Commander in Chief of the continental army.

That if the number of troops necessary to garrison this post cannot be conveniently spared out of those already voted by Congress, for the defence of the frontiers of the State of New York, Congress approve the employing from time to time, at the expence of the United States, such number of militia as may be sufficient for that purpose; so as that the whole employed in this service do not exceed one hundred and fifty men, with a proper proportion of officers.

*Resolved,* That the president and council of the State of New Hampshire be authorised to embody and maintain, at the expence of the United States, any number of men not

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 321.

[2] This memorial, dated June 1, 1780, is in the *Papers of the Continental Congress*, No. 41, VII, folio 279.

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exceeding two hundred and fifty rank and file, with a proportionable number of officers, to assist in guarding the frontiers of the said State.[1]

The committee to whom was referred the letter, of 27 May, from General Washington, and who were directed to confer thereon with a committee of the general assembly and supreme executive council of the State of Pensylvania, reported the result of their conference, and the measures pursuing by the said State: Whereupon,

The Committee to whom was referred Gen.l Washington's letter of the 27th May, and who were directed to confer thereon with a Com.ee of the general assembly and the supreme executive Council of Pennsylvania Report

That they have had a conference on the same with a Committee of the Supreme Executive Council and General Assembly of the State of Pennsylvania, who inform your Committee that nothing will be wanting in the power of this State to furnish men, money and provisions for the public service ~~especially~~ on the present emergency. That with regard to men, orders have just gone forth for every company of militia in the State to furnish two each, which will amount to about twelve hundred, and which are to join the Continental army, except so many of them as may be found necessary to oppose the Indian incursions on the frontiers of the State. That orders are also just gone forth to the Superintendants and Collectors of the taxes in the most pressing terms to furnish an immediate supply of money for the publick service, ~~and that other methods will be taken to raise money if found necessary.~~

That ~~with regard to provisions Col. Blaine~~ the Comm.y Gen.l has orders to receive money from any of their County Treasurers for an immediate purchase of meat, and is gone into the country to direct the application of it, and that should he fail of purchasing such meat as he should find suitable for the army, authority will be given to seize the same, tho' it was not expected that any large supply of Beef could be found in this State. That the Purchasers under the State were now furnished with money, and there was reason to believe

[1] These resolutions were also entered in the manuscript Secret (Domestic) Journal. The report is in the *Papers of the Continental Congress*, No. 147, IV, folio 375.

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they would succeed in the purchase of the articles required of the State by the Resolution of the 25th of Feby last, to which much attention would be given

The Conferees on the part of this State also urged the necessity of some effectual measures being taken to keep up the Embargo in the State of Delaware, as necessary to facilitate the supply from this State.

Your Committee beg leave to report as a further mean of facilitating extra supplies from this and other States the following Resolution:

*Resolved,* That the supplies which any of the states shall, upon requisition for that purpose, furnish of articles not required from them by the resolution of the 25 day of February last, or to a greater amount than is required by the said resolution, shall be credited to them in a future requisition of specific supplies from the several states, or in lieu of the like value of other articles, which such states are already called on to furnish, or, at the election of the State, shall be paid for, with interest at six per cent. as fast as money can be procured for that purpose.[1]

On motion of Mr. [Thomas] Burke, seconded by Mr. [James] Duane,

*Resolved, unanimously,* That the thanks of Congress be given to the legislature and to the president and supreme executive council of the State of Pensylvania, for their ready attention to the matters which the Committee of Conference laid before them, and the satisfactory measures they have taken in consequence thereof.

Congress took into consideration the report of the committee on the letter, of 16 May, from Governor Livingston, respecting John Hopper; and thereupon,

*Resolved,* That his excellency Governor Livingston, be informed, in answer to his letter of the 16 May, that sundry

[1] This resolution is transcribed in the *Papers of the Continental Congress*, Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780. The report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 19 ,VI, folio x283. It is indorsed by Charles Thomson: "Read June 1, 1780, and passed the same day"

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applications have heretofore been made to Congress for relief in cases that are not distinguishable from the case of John Hopper, mentioned in his letter aforesaid, and many cases exist to which the principle advanced by his excellency will apply; but Congress, though deeply affected by their calamities, have not yet found it expedient to enter into a consideration of measures for the particular relief of such sufferers; nor is it probable that the inevitable exigencies of the war will permit Congress to enter into such consideration until peace shall be restored to the United States.[1]

Congress resumed the consideration of the report of the committee on sundry papers, respecting the New Hampshire grants, and some time being spent thereon,

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, JUNE 2, 1780

Mr. Daniel of St. Thomas Jenifer, a delegate for the State of Maryland, attended and produced the credentials of his appointment, which were read, as follows:

In General Assembly, Annapolis, 7 April 1780.

The Senate proceeded to ballot for two Delegates to Congress, and the Ballot-Box being prepared, the Ballots were deposited therein, sealed up and delivered to the Committee of this House appointed to meet the Committee from the House of Delegates, who retired to the Conference Room, and after some time, returned and reported that William Paca and Daniel of St. Thomas Jenifer Esquires had a Majority of Votes; Whereupon, it is declared that William Paca and Daniel of St. Thomas Jenifer Esquires are duly elected Delegates to Congress.

Extract from the Minutes,

JA. MACCUBBIN *Cl. Sen.*
F. GREEN *Cl. H. D.*[2]

[1] This report, in the writing of Thomas Burke, is in the *Papers of the Continental Congress*, No. 19, III, folio 587.

[2] The original is in the *Papers of the Continental Congress*, Maryland, *Credentials of Delegates*.



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Congress resumed the consideration of the report of the committee on sundry papers respecting the New Hampshire Grants, and thereupon came to the following resolutions:

Whereas it is represented to Congress, and by authentic evidence laid before them it appears, that the people inhabiting the district of country commonly known by the name of the New Hampshire Grants, and claiming to be an independent State, have, ~~in contempt of~~ notwithstanding the resolutions of Congress of the 24th September, and 2d October, proceeded as a seperate government to make grants of lands and sales of estates by them declared forfeited and confiscated; and have also, in divers instances, exercised civil and military authority over the persons and effects of sundry inhabitants within the said district, who profess themselves to be citizens of and to owe allegiance to the State of New York ~~and moreover have not submitted the decision of their claims in the manner prescribed in the said resolutions, or in any other just and equitable manner whatsoever~~.

*Resolved*, That the acts and proceedings of the people inhabiting the said district, and claiming to be an independent State as aforesaid, in contravening the good intentions of the said resolutions of the 24th September and the 2d October last, are highly unwarrantable, and ~~utterly~~ subversive of the peace and welfare of the United States:

That the people inhabiting the said district, and claiming to be an independent State as aforesaid, be, and they hereby are, strictly required to forbear and abstain from all acts of authority, ~~legislative, judicial or executive~~ civil or military, over ~~any of~~ the inhabitants of ~~the said~~ any town or district who hold themselves to be subjects of, and to owe allegiance to, any of the states claiming the jurisdiction of the said territory, in whole or in part, until the decisions and determinations in the resolutions aforementioned shall be made

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~~under pain of being considered as enemies to the liberty and safety of the United States.~~

And whereas the States of New Hampshire and New York have ~~in every respect~~ complied with the said resolutions of the 24 September and 2 October last, and by their agents and delegates in Congress ~~have ever since the first day of February last, being the day assigned in the said resolutions~~ declared themselves ready to proceed in supporting their respective rights to the jurisdiction of the district aforesaid, in whole or in part, according to their several claims, and in the mode prescribed in the said resolutions: and whereas Congress, by their order of the 21 March last, did postpone the consideration of the said resolutions, nine states, exclusive of those who were parties to the question, not being represented; and by their order of the 17th of May last, have directed that letters be written to the states not represented, requesting them immediately to send forward a representation;

~~*Resolved*, That Congress will as soon as nine States exclusive of those who are parties to the controversy shall be represented, proceed to determine, whether the said Territory be comprehended in whole or in part within the bounds of the United States as the Territories of the respective Committees represented in Congress stood at the time of its first institution.~~

~~That if it shall be determined to be so comprehended, the States claiming the jurisdiction thereof in the whole or in part be directed immediately to proceed and appoint Commissioners judicially to decide upon the several matters to be submitted to them agreeably to the said resolutions of 24th September and 2d October last.~~

~~And, Whereas, the State of Massachusetts bay hath not transmitted to Congress any law by them enacted or appointment of an agent or agents by them made, in pursuance of the recommendation contained in the said resolutions.~~

~~*Resolved*, That the State of Massachusetts bay be not precluded by any determination of the controversy between the States of New Hampshire and New York, from prosecuting against the prevailing party,~~

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~~any claim which the said State may have to the jurisdiction of the said territory in whole or in part in the mode described in the said resolutions.~~[1]

*Resolved*, That Congress will, as soon as nine states, exclusive of those who are parties to the controversy, shall be represented, proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction between the three States of New Hampshire, Massachusetts Bay, and New York, respectively, or such of them as shall have passed such laws as are mentioned in the said resolutions of the 24 September and 2 October last, on the one part, and the people of the district aforesaid, who claim to be a separate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

The foregoing resolutions being seperately debated and passed, when the question was taken to agree to the whole, the yeas and nays being required by Mr. [Samuel] Holten,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | div. |
| Holten, | no | |
| *Rhode Island,* | | |
| Mr. Ellery, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Scott, | ay | |
| *New Jersey,* | | |
| Mr. Houston, | ay | ay |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | no | |
| *Maryland,* | | |
| Mr. Jenifer, | no | * |
| *Virginia,* | | |
| Mr. Griffin, | ay | ay |
| Henry, | ay | |
| Jones, | ay | |
| Madison, | ay | |
| Walker, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |

[1] This report is in the *Papers of the Continental Congress*, No. 20, I, folio 6.

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So it was resolved in the affirmative.

*Ordered*, That a member be added to the committee, appointed to confer with the Honorable the Minister Plenipotentiary of France ~~in the room of Mr. Livingston, who is absent~~.[1]

The member chosen, Mr. [Daniel of St. Thomas] Jenifer.

Adjourned to 10 o'Clock on Monday.

## MONDAY, JUNE 5, 1780

Mr. Whitmill Hill, a delegate from North Carolina, attended and took his seat in Congress.

Mr. Ezekiel Cornell, a delegate for Rhode Island and Providence Plantations, attended and produced the credentials of his appointment, which were read, as follows:

By His Excellency William Greene Esquire Governor Captain General and Commander in Chief of and over the State of Rhode Island and Providence Plantations.
[SEAL]

To Ezekiel Cornell Esquire Greeting.

*Whereas* by the General Assembly of the said State at the Session held at Providence on the First Wednesday in May instant You the said Ezekiel Cornell was elected a Delegate to represent the said State for One Year in the General Congress of Delegates from the Thirteen United States of America now sitting at Philadelphia in the State of Pennsylvania, or wherever the same may sit: I do therefore in the Name of the Governor and Company of the said State hereby authorize, empower and commissionate you the said Ezekiel Cornell in Conjunction with the other Delegates that are or may be elected Delegates of the said State, or seperately, and alone, in Case of the Sickness, or necessary Absence, of the other Delegates of said State, to represent the said State in the said General Congress; and in Behalf thereof to join with the Delegates from the other States or major Part of them in all such Measures as shall be thought best for defending and promoting the Welfare of the said United States agreeable to the Instructions given or that may be given you by the General Assembly.

[1] In the margin Thomson wrote: "Erasure made by order, on reconsideration, 8 June."

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**This Commission so far as it empowers you to act seperately and alone is to continue good in that Respect until the Ratification of the Articles of Confederation by each and every of the Thirteen United States. Upon which Event any Two of the said Delegates if no more than Three are present, or otherwise the major Part of those present, are empowered to execute this Commission; which is also to be understood** to continue in Force until you shall be superseded, and another Delegate shall appear to take your Place.

Given under my Hand and the Seal of the said State this Eighth Day of May A. D. 1780 and in the Fourth Year of Independence.

W. GREENE

By his Excellency's Command.

HENRY WARD *Secry*[1]

Mr. [Jared] Ingersol, a delegate for Pensylvania, attended and took his seat in Congress.

A letter, of 25 May, from Governor Nash, of North Carolina, enclosing copy of a letter, of 16th of the same month, from Governor Rutledge, of South Carolina;

A letter, of 31 May, from General Washington; and

A letter, of 3d, from President Rodney, of Delaware, were read.

A letter, of 12 April, from Joseph Marsh; one of 2d instant, from Lieutenant Colonel Knobelauch; and one, of the 2d, from Baron d'Uglaa, were read:[2]

On motion of Mr. [Thomas] Burke, seconded by Mr. [Allen] Jones,

*Resolved,* That the Board of War be directed to send to the State of North Carolina five thousand stand of arms, with powder, lead, flints and other suitable stores for ten thousand troops.

[1] The original is in the *Papers of the Continental Congress*, Rhode Island, *Credentials of Delegates*.

[2] Nash's letter is in the *Papers of the Continental Congress*, No. 72, folio 81; Washington's letter is in No. 152, VIII, folio 587; Rodney's is in No. 70, folio 731; Marsh's is in No. 40, I, folio 325; Knobelauch's is in No. 78, XIII, folio 559; d'Uglaa's is in No. 78, XXIII, folio 1.

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*Resolved,* That two members be added to the committee, to whom was referred the report of the Board of Treasury, of 8 April, in the room of Mr. [Philip] Schuyler and Mr. [William] Ellery, who are absent:[1]

The members chosen, Mr. [William Churchill] Houston and Mr. [Samuel] Holten.

An address from the legislature of the commonwealth of Virginia, was read:[2]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [James] Henry, Mr. [John] Armstrong and Mr. [Samuel] Holten.

The committee, appointed to confer with the honorable the Minister Plenipotentiary of France, brought in a report; Whereupon,

The Committee appointed to receive the communications of his Excellency the Minister of France relating to supplies for the forces of his Most Christian Majesty and on other matters beg leave to report, that in a conference had the 3rd of the present month, the Minister was pleased to make the following communications, viz.

That Mons. de Corny Commissary of the troops of his Most Christian Majesty, had orders to purchase a number of horses and to purchase or hire a number of teams in the States where they could be most conveniently procured for the use of the forces of his Most Christian Majesty that should arrive to cooperate with the forces of these United States.

That Mons de Corny had also orders to endeavor to procure in the several States where it should be found most convenient provisions for the forces above mentioned in such manner as should least interfere with the purchases of the States or agents of Congress, and as should be best adapted to support and establish the credit of the paper currency. That Mons. de Corny would apply to the Supreme Executive powers of the several States in which the purchases were to be made for their advice and aid in the matter. To obtain which the Minister wished for the approbation of Congress and that if they

[1] Thomson's marginal note: "See April 13."

[2] This address, dated May 24, 1780, is in the *Papers of the Continental Congress,* No. 71, I, folio 351.

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should think fit letters might be written by the President to the Supreme Executive Powers of the several States requesting their advice and aid to Mons. de Corny in procuring those supplies.

That Mons de Corny had received £17,000 of the bills lately emitted by the State of Pennsylvania to employ for the purposes above mentioned and would in his negotiations avail himself of all opportunities for contributing to the utmost of his power for establishing the Currency of the public bills of credit.

That it would be necessary to give the said forces of his Most Christian Majesty the option of receiving their pay in specie, from their unacquaintedness with paper money in general and ignorance of the language in which the bills of these United States are struck, which circumstance the Minister thought proper to suggest that Congress might take any measures they should Judge necessary to prevent uneasiness arising therefrom to the troops of these United States who might receive their pay in a different manner.

That to prevent loss happening to any of the Citizens of these United States from receiving from the troops of his Most Christian Majesty any small coins they may be possessed of that shall be below the standard alloy the same will be exchanged for other coins by persons that shall receive orders therefor.

The Minister desired to be informed of the mode of Intelligence Congress would rely on to give them immediate notice of the arrival of the forces from France and for keeping up a constant communication after their arrival, and again repeated his wishes that nothing might be left unprovided for that could promise despatch to their operations and render them most extensively serviceable to these United States.

The Minister also wished to recommend to the consideration of Congress Mons. Louis Ethis de Corny provincial Commissary of the troops in the service of his Most Christian Majesty for the honor of a Brevet Commission of Lieut. Colonel, which title his office had given him in the French Service. Mons. de Corny desired not Command or pay but was ambitious to deserve a mark of honor from these United States, from which benefits might result to him hereafter.

June 5. 1780.

Upon the foregoing information your Committee beg leave to submit to the ~~immediate~~ Consideration of Congress the following Resolutions.

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*Resolved,* That a brevet commission of lieutenant colonel ~~in the army of these United States,~~ of cavalry[1] be granted to Mons^r^ Louis Ethis de Corny [~~provincial commissary of the troops in the service of his Most Christian Majesty~~].

That Mons^r^ de Corny be furnished with letters from the President to the supreme executive powers of the several states ~~of New York, Connecticut, Rhode Island, Massachusetts Bay and New Hampshire~~, or to such of them as Mons^r^ de Corny shall apply for, requesting their advice and aid to him in procuring provisions and other necessaries for the forces of his most Christian Majesty expected to arrive in these United States, in such manner as will best avoid a competition of purchases for the use above mentioned and those for the use of the troops of these United States.

That ~~his excellency~~ the honorable the Minister of France be informed that it is the opinion of Congress that the public service will be best promoted by having the same currency made use of, as far as may be, to procure supplies for the forces of his Most Christian Majesty as for those of these United States.

That the governors of the States of Virginia and Maryland be requested immediately to engage trusty persons in those states respectively, at proper distances from each other, on the main road from Cape Henry, in Virginia, to Philadelphia, to hold themselves in readiness, should the French fleet be discovered off that cape or the adjacent coast, to forward intelligence thereof, and any despatches that may be received from them, to Congress, in the most expeditious manner.[2]

Adjourned to 10 o'Clock to Morrow.

[1] Thomson's marginal note: "June 7, 'of cavalry' inserted by order of Congress."

[2] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 25, I, folio 199. A transcript is in Committee Book, 1780, Proceedings of the Committee appointed 13th April, 1780, folio 6. It is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton) III, 765.

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**TUESDAY, JUNE 6, 1780**

**Mr. [Thomas] Bee, a delegate for South Carolina, attended and took his seat in Congress.**

**A letter, of 8th May, from Governor Galvez of New Orleans, was read, enclosing a copy of the articles of capitulation on which the garrison of Mobile surrendered to the army of his Catholic Majesty.**

The Committee of Commerce laid before Congress a letter, of 20 January, from O. Pollock, at New Orleans, which was read, with sundry papers enclosed:[1]

*Ordered,* That the same be referred to a committee of three:

The members chosen, Mr. J[oseph] Jones, Mr. [James] Lovell and Mr. [James] Searle.

A memorial from Sidney Paul was read:

*Ordered,* That it be referred to the Board of Treasury.

A memorial from W. Bingham was read:[2]

*Ordered,* That it be referred to the Committee of Foreign Affairs.

Two letters, of this day, from F. Lewis, commissioner of the Board of Admiralty, were read:[3]

*Resolved,* That two members be elected for the Board of Admiralty, in the room of Mr. [William] Ellery, who is absent, and of Mr. [James] Madison, who at his desire, is excused from attending that Board:

The members chosen, Mr. [Whitmill] Hill and Mr. B[enjamin] Huntington.

William Ellery, Esquire, was put in nomination by Mr. [Nathaniel] Folsom, for a commissioner of the Board of Admiralty.

[1] This letter is in the *Papers of the Continental Congress,* No. 50, folio 245.

[2] Sidney Paul's memorial, dated June 5, 1780, is in the *Papers of the Continental Congress,* No. 41, VIII, folio 112; that of Bingham, dated June 6, 1780, in No. 41, I, folio 283.

[3] These letters are in the *Papers of the Continental Congress,* No. 78, XIV, folios 337 and 341.

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A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE, *June 3, 1780*

The Board of Treasury represent on the memorial of Gabriel Ogden of 1st of June referred to them by Congress,

That by a letter from the Board of War of the first instant it appears a special contract, under their direction, was made by Benjamin Flower Commissary General of Military Stores, with Gabriel Ogden for Shells, Carcases and round shot, and it is certified by the Board of War that the said Ogden has faithfully performed his part of the contract; This Board have before them certificates, that the shot, shells &c have been received and proved, that the Commissary General of Military Stores has examined the accounts, stating a balance due to the said Gabriel Ogden upon the contract aforesaid of fifty thousand three hundred and seventy eight dollars and 60/90 This Board knowing of no other way for satisfying the said claim—

~~*Ordered*, That a warrant issue on Thomas Smith, commissioner of the continental loan office for the State of Pensylvania, in favour of Gabriel Ogden, for fifty thousand three hundred and seventy eight dollars and 60/90, payable in loan office certificates, and to be charged to the commissary general of military stores.~~[1]

*Ordered*, That on the application of William Palfrey, paymaster general, a warrant issue on the treasurer in his favour, for three hundred and sixty thousand dollars, for the use of his department; and for which he is to be accountable.[2]

The committee on the letter, of 30 April, from Governor Rutledge to the delegates of South Carolina; and the committee, to whom was referred the report of the Board of Treasury respecting the settlement of outstanding accounts, brought in their several reports, which were read.

Congress took into consideration the report of the committee on the letter from Governor Rutledge, and thereupon,

[1] "June 7, reconsidered, and re-committed." *Thomson's marginal note.*

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 325.

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*Resolved,* That it be an order of the day on Friday next, to take into consideration the state of the southern department.

That the Board of War be directed to send forward, with all possible expedition, such articles of horse furniture, arms and accoutrements, as may be wanted for the use of the cavalry in the southern army.

~~That Major Lee be ordered to proceed immediately to South Carolina with the Corps under his Command.~~[1]

On motion of Mr. [Thomas] Burke, seconded by Mr. [James] Duane,

*Resolved,* That the resolution of the 5th, directing the Board of War to send forward arms and military stores to the State of North Carolina, be executed for the present only to the extent of three thousand stand of arms, and military stores for six thousand troops.

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JUNE 7, 1780

*Ordered,* That Tuesday next be assigned for electing commissioners for the Board of Admiralty.

A letter, of this day, from ~~F. Lewis, commissioner of~~ the Board of Admiralty, was read; Whereupon,

*Ordered,* That the Board of Admiralty cause sale to be made at public auction of the sloop *West Florida,* and pay the proceeds into the treasury of the United States, to be applied to the use of the navy; and that the crew of the said sloop be turned over to the ships of war now fitting out in this harbour.

The committee, appointed to confer with the Honorable the Minister of France, brought in a report, which was read; and after debate,

[1] This report, in the writing of Francis Kinloch, is in the *Papers of the Continental Congress,* No. 20, II, folio 392.

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*Ordered,* That it be re-committed.

A letter, of 6, from the Board of War was read:

*Ordered,* That it be referred to the Board of Treasury.

Another letter, of the 6, from the Board of War was read, with sundry papers enclosed:[1]

*Ordered,* That so much thereof as relates to an advance of money to Mr. Furman, deputy quartermaster general, be referred to the Board of Treasury; that the remainder be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. [William Churchill] Houston and Mr. [Timothy] Matlack.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of the superintendants of the continental press, a warrant issue on the treasurer, in their favour for twenty thousand dollars; for which they are to be accountable.

The Board having considered the address of the Council and assembly of New Jersey referred to them by Congress Report—

That the objects of said address are sufficiently provided for by a Resolution of Congress of the 26th May last respecting the notes or Certificates of Officers in the departments of the Commissary General of Purchases and Quarter Master General recommended to be received in payment of Continental Taxes[2]

The committee, to whom was referred the address of the general assembly of Virginia, brought in a report; which was read.

"The Committee to whom was referred the address of the general assembly of Virginia, have according to order had the same under their consideration, and have come to Sundry Resolutions thereupon, which they beg leave to submit to the consideration of the House.

*Resolved,* That a letter be written by the President to the general assembly of Virginia, assuring them that Congress, ever attentive to

[1] The letter of the Board of Admiralty is in the *Papers of the Continental Congress,* No. 37, folio 251; the letters of the Board of War are in No. 148, I, folios 106 and 110.

[2] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 327.

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**the defence and protection of all parts of the United States, will at this time have a particular regard to the safety and defence of the Southern States; That nothing will be left undone for defending and securing the Commonwealth of Virginia and the other States to the Southward, within the compass of the powers of Congress to perform, consistent with the general arrangements of the army, during the course of the present Campaign. But informing them at the same** time that they are not to rely too far, on the assistance which may be drawn from the army of the United States, that much will depend on their own vigorous efforts, ~~that Congress have great Expectations from the internal Revenue and the strength of the militia of that Country~~ and that Congress cannot entertain a doubt, should that Country become the Theatre of the War, during the course of the present Campaign, but Virginia will display her ancient spirit in the most ample and generous exertions of her natural strength, and also to inform them that arms are already ordered forward for the use of the North Carolina Militia.

*Resolved*, That the farther consideration of the said address be referred to the consideration of the Committee of the whole on Friday next.[1]

On motion of Mr. [Thomas] McKean, seconded by Mr. [Thomas] Burke,

*Resolved*, That a committee of three be appointed to devise means more effectually to prevent and punish persons debasing the continental currency by counterfeits:

The members chosen, Mr. [Thomas] McKean, Mr. [Jared] Ingersol and Mr. [Robert R.] Livingston.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, JUNE 8, 1780

A letter, of 5, from the committee at headquarters was read, with sundry estimates and papers enclosed:[2]

[1] This report, in the writing of James Henry, is in the *Papers of the Continental Congress*, No. 20, II, folio 242. It is indorsed by Charles Thomson: "Delivered June 7, 1780, No. 2. Read. Obsolete."

[2] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 55. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 26.

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*Ordered*, That the letter and estimates be referred to a committee of three:

The members chosen, Mr. J[oseph] Jones, Mr. [Oliver] Ellsworth and Mr. [Thomas] Bee.

A letter, of 7th December last, from Captain J. Paul Jones, on board the *Alliance* in the Texel, was read, accompanied with sundry papers:

*Ordered*, That the same be referred to the Board of Admiralty to report thereon.

A letter, of December 30, 1779, from Mr. Dumas, at the Hague, was read.[1]

A letter, of this day, from the Board of War was read:

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Timothy] Matlack, Mr. [Thomas] Burke and Mr. [Abraham] Clark.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE, *June 7, 1780.*

Upon a reference from Congress to reconsider their order of the 6th instant "for issuing a warrant on the Commissioner of the Continental Loan Office for the State of Pennsylvania in favour of Gabriel Ogden for fifty thousand three hundred and seventy eight dollars and sixty ninetieths of a dollar payable in Loan office Certificates and to be charged to the Commissary General of Military Stores" The Board of Treasury Report,

*Ordered*, That ~~in lieu thereof~~ a warrant issue on Thomas Smith, commissioner of the continental loan office for the commonwealth of Pensylvania, in favour of Gabriel Ogden, for one hundred and thirty seven thousand four hundred and eighty seven dollars and 75/90, payable in loan office certificates, and to be charged to the commissary general of military stores.[2]

[1] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 452.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 329.

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That on the application of Charles Pettit, assistant quarter master general, approved by the Board of War, a warrant issue on Samuel Patterson, treasurer of the State of Delaware, in his favour on account of Nathaniel Greene, Q. M. G. for thirty thousand dollars (part of the monies raised in the said State for the use of the United States), to be applied in the department of the said quarter master general; and for which he is to be accountable.[1]

The committee, appointed to confer with the Honorable the Minister of France, to whom was re-committed their report, brought in another report, which was read; Whereupon,

That the Minister of France has communicated to your Committee, that as Mons. de Corny Commissary of the troops of his Most Christian Majesty will go into the State of Connecticut to procure some supplies, it would be convenient for him to receive there an advance of money from these United States, either in Continental Bills, or the bills of that State, to be replaced in specie, on the arrival of the fleet from France, and the Minister engages that the monies which shall be so advanced by these United States to Mons de Corny shall be replaced in Specie as above mentioned.

Upon which communication your Committee beg leave to submit to the consideration of Congress the following Resolution, viz.

*Resolved*, That the governor of the State of Connecticut, be and he is hereby authorised to receive, on account of these United States, out of the monies raised by that State, more than sufficient to discharge the draughts heretofore made by Congress, and to comply with the requisition of Congress, of the 20th of May last ~~or out of the bills struck pursuant to the resolution of Congress of the 18th of March last to be lodged in the Continental loan office in that State for the use of the United States,~~ or out of the bills that shall be compleated and lodged in the continental loan office in that State for the use of the United States, pursuant to a resolution of Congress, of the 18 of March last, one

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 331.

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million two hundred thousand dollars of the bills now in circulation, or thirty thousand dollars of the bills last mentioned, or a proportion of each, on the application of Monsr. de Corny, commissary of the troops in the service of his Most Christian Majesty, and advance the same to him, taking his receipts to replace the same in specie in the treasury of these United States, when required by Congress; the said receipts to be transmitted to the Treasury Board as soon as possible.[1]

On motion of Mr. [Oliver] Ellsworth, seconded by Mr. [Thomas] Burke,

*Resolved*, That John Lawrence and Rhoderick Lawrence be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the State of Connecticut, pursuant to the resolution of Congress of the 18th of March last.

The following gentlemen were put in nomination for commissioners of the Board of Admiralty:

Mr. John Collins, by Mr. [Robert R.] Livingston; Mr. Thomas Woodford, by Mr. J[oseph] Jones; Mr. John Deshon, by Mr. B[enjamin] Huntington.

TREASURY OFFICE *June 7. 1780*

Whereas Bills of Exchange drawn on account of the United States are Subject to many accidents, which may prevent the holders thereof from receiving the benefits to which they are Justly entitled, and no general provision has yet been made for the renewal of Such Bills, which may be done without danger to the Public and with great convenience to Individuals; the Board of Treasury beg leave to Submit the following resolution.

*Resolved*, That Bills of Exchange drawn on account of the United States be renewed in favor of the original drawees under direction of the Board of Treasury on the following conditions viz:

1. That every renewed Bill bear an Express condition in the face of it, that any one Bill from one to the highest number inclusive

[1] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 25, I, folio 200. It was also entered in the manuscript Secret (Domestic) Journal. It is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 773.



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being paid, all the other numbers as well of the original as of the renewed Sets Shall be void.

2. That the persons requiring the renewal, Shall enter into bond to the Commissioner of the loan office whence the original Bills issued with two or more Sufficient freeholders as Securities, in double the amount of the value of the bills claimed to be renewed, with condition to indemnify the United States against the holders of the first Set, Should the Same be demanded, and protested by reason of the payment of one of the renewed bills.

3. That the Loan officer, who Shall issue any renewed Set of Bills of Exchange, Shall receive from the person requiring Such renewal, the Sum that he is entitled to receive for preparing and issuing the original Set, and also one dollar in Specie on the value thereof in current money for indemnifying the United States against the expense of the transaction.[1]

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, JUNE 9, 1780

A letter from J. G. Duarti was read:[2]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Samuel] Holten and Mr. [Jared] Ingersol.

On motion of Mr. [Francis] Kinloch, seconded by Mr. [Thomas] Bee,

*Resolved,* That the order of the day to take into consideration the state of the southern department be postponed till Monday next.

The delegates from South Carolina and Georgia laid before Congress a letter, of 8th, directed to them from Doctor Read, which was read:[3]

*Ordered,* That it be referred to the Medical Committee.

[1] This report is in the *Papers of the Continental Congress*, No. 34, folio 85. The endorsement shows that it was postponed.

[2] This letter, dated June, 1780, is in the *Papers of the Continental Congress*, No. 78, VII, folio 289.

[3] This letter is in the *Papers of the Continental Congress*, No. 59, III, folio 27.

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Nine states being represented, exclusive of New Hampshire, Massachusetts Bay, and New York,

A motion was made by Mr. [Robert R.] Livingston, seconded by Mr. [John Morin] Scott, agreeably to the resolution of the 2d instant, to proceed to hear and examine into, and finally determine the disputes and differences relative to jurisdiction, between the three states of New Hampshire, Massachusetts Bay, and New York, respectively, or such of them as shall have passed such laws as are mentioned in the resolutions of the 24 September and 2 October last, on the one part, and the people of the district commonly known by the name of the New Hampshire Grants, who claim to be a seperate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

But it being represented on the part of New Hampshire, that the agent specially appointed for that business, is not now present, and, from the great distance, cannot soon attend Congress,

On motion of Mr. [George] Walton, seconded by Mr. [Nathaniel] Folsom,

*Ordered*, That the second Tuesday in September next be assigned to proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction, between the three states of New Hampshire, Massachusetts Bay and New York, respectively, or such of them as shall have passed such laws as are mentioned in the resolutions of the 24 September and 2 October last, on the one part, and the people of the district commonly known by the name of the New Hampshire Grants, who claim to be a seperate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

*Ordered*, That copies of the aforegoing order be sent to the states of New York, New Hampshire and Massachusetts Bay, and to the people of the district aforesaid.

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A letter of this day, from the Board of War was read, with sundry papers enclosed:[1]

*Ordered,* That the same be referred to the Board of Treasury.

The committee, to whom was referred the letter, of 6th, from the Board of War, delivered in their report.

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JUNE 10, 1780

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE, *June 8, 1780.*

The Board of Treasury having considered the letter of the Board of War of the 6 instant, referred to them by Congress report,

*Ordered,* That a warrant issue on the treasurer in favour of Joseph Carleton paymaster to the Board of War for eighty eight thousand dollars, to enable the said Board to discharge their contract with Philemon Dickinson for one hundred and ten barrels of flour and one thousand and three bushels of Indian corn, for which the said paymaster is to be accountable.

The Board having considered the Extract of a letter from the Board of War dated June 6, 1780, with its inclosures referred to them by Congress, report

That the Board of Treasury, by Ordinance of Congress of July 30th 1779 establishing the same, are authorized to "examine into the merits of all Requisitions for the advance of money for public services, and report thereon to Congress, to grant warrants under their seal on the Treasurer for balances of accounts and partial payments."

That by the Resolutions of Congress passed October 17, 1777 for establishing the Board of War the said Board are empowered and directed "to obtain and keep exact accounts of the numbers and disposition of the forces of the United States, to obtain and keep exact accounts of all the Artillery, Arms, Ammunition, Warlike stores, Clothing, Medicines and Provisions belonging to the United States: and of the manner in which, and the places where, the same

[1] This letter is in the *Papers of the Continental Congress*, No. 19, IV, folio 483.

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shall from time to time be lodged and employed," and in general to superintend the several branches of the Military Department: and all military and other officers attending upon or connected with the army of the United States are required and enjoined to observe the directions of the said Board in making and transmitting proper returns and such other matters as may tend to facilitate the Business of the said Board.

That by several Resolutions of Congress relative to the Quarter Master and Commissary General's Departments, particularly those of May 14, 1777, April 14, 1778, it is specially required that "the Returns of the said Departments be transmitted to and subjected to the inspection and direction of the Board of War"

That the Board of Treasury are not furnished with any general account of the Expenditures in the Quarter Master Department, and therefore cannot judge whether the sums required by the Assis. Quarter Master General on the Estimates referred for the Deputy Quarter Master General in the State of New Jersey ought to be issued as a balance or a partial payment.

They are not by their Office enabled to come at the knowledge of the objects of the military operations, the force of the Army, the dispositions, the requisite movements, the state and situation of magazines, or the situation of posts: and therefore cannot be enabled to judge whether any particular estimates of supplies which may be laid before them, is requisite for the public service, and consequently cannot merely on any such estimate report that the advances of money required for the same ought to be made. They presume that the Board who are immediately intrusted with the superintendance of the Officers, and who are empowered to obtain the materials necessary for giving due information, are alone competent to determine on the propriety of Estimates of supplies and services for which advances of public money are required: and the Board of Treasury find themselves obliged to require certificates of approbation from the Superintending Boards as the best, and indeed only competent testimony on which they can report that advances ought to be made.

That the Estimates aforesaid cannot for the reasons aforesaid be judged of, or reported upon by the Board of Treasury as services and supplies for which an advance of public money ought to be made: and as the Board of War, who are particularly charged with the superintendance of the Quarter Master General's department, and before whom the general plans, estimates and returns are pre-

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sumed to be, decline to take upon themselves to declare that the supplies and services in the said estimates are proper and necessary, the Board of Treasury cannot take upon themselves to report that money ought to be advanced for the same.[1]

*Ordered*, That the remainder be referred to the committee on the letter, of the 6th, from the Board of War.

The report from the committee on the letter, of 8, from the Board of War was read:

*Ordered*, That it be re-committed.

A motion being made by the delegate for the State of Rhode Island, for an advance of money to that State in part of a ballance said to be due:

*Ordered*, That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock on Monday.

### MONDAY, JUNE 12, 1780

A letter, of 11, from Governor Livingston of New Jersey was read, enclosing a letter, of 10, from Major General Lord Stirling.[2]

A report of the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of William Palfrey, paymaster general, a warrant issue on the treasurer in his favour, for one hundred and seventy seven thousand six hundred dollars, for the use of his department; and for which the said William Palfrey is to be accountable.[3]

A motion being made by Mr. [Abraham] Clark, seconded by Mr. [Nathaniel] Folsom, respecting the subject of the letter from Governor Livingston:

That the letter of Gov^r. Livingston with its enclosure informing that the enemy is now in force in New Jersey, be communicated to the President of the State of Pennsylvania, and that he be requested to take the most speedy and effectual measures for reenforcing the

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 333.
[2] The Governor's letter is in the *Papers of the Continental Congress*, No. 68, folio 545.
[3] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 341.

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army in New Jersey under Genl. Washington by such detachments from the militia as the circumstances of this State will admit, and the exigencies of public affairs require[1]

*Ordered*, That the said motion, together with the letter from Governor Livingston, and that enclosed from Major General Lord Stirling, be referred to the delegates of the commonwealth of Pensylvania; and that they communicate the contents to the president and supreme executive council of the said State.

On motion of Mr. [William Churchill] Houston, seconded by Mr. [John] Fell,

*Resolved*, That the committee at head quarters be instructed immediately to give orders for stopping all issues of provisions and forage, except to the army and militia in actual service, and such persons as are attached to the military in camp or on march, under such particular exceptions only as they, on advising with the Commander in Chief, may judge absolutely indispensable.

That the value of a ration be settled by the Board of War, and allowed in money to such as are now entitled to draw from the public stores, and may be precluded for the future in consequence of such orders.[2]

A motion being made for carrying into more effectual execution the resolution, of 2 June, 1778:

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Robert R.] Livingston, Mr. [William Churchill] Houston and Mr. [Ezekiel] Cornell.

On motion of Mr. [Oliver] Ellsworth, seconded by Mr. [Frederick A.] Muhlenberg,

[1] This motion, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 19, III, 589.

[2] These resolutions were also transcribed in the *Papers of the Continental Congress*, Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 7.

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*Resolved*, That the president of the State of Delaware be informed, that the public exigencies require an immediate and decisive answer to the resolution of Congress of the twenty second day of May, respecting an embargo on the exportation of provisions from the said State.

The delegates for Virginia laid before Congress a letter, of 23 May, from Mr. P. Henry:[1]

*Ordered*, That it be referred to the Committee of Foreign Affairs.

Congress took into consideration the report of the committee, respecting the settlement of outstanding accounts, and thereupon came to the following resolutions:

Whereas large accounts in the several staff departments in the army are outstanding and unsettled, and it is necessary that they be speedily and finally adjusted, in order that all disbursements may be clearly ascertained and arrears discharged;

*Resolved, therefore*, That two extra chambers of accounts, consisting of two commissioners each, be appointed, to continue in office as long as may be necessary, for the settlement of the said accounts, or any others which may be referred to them.

That the commissioners of the said chambers of accounts, be respectively under the direction of the Board of Treasury, to repair to such posts or places as the public service may from time to time require, for the purpose of examining and adjusting any of the said accounts.

That, when thus employed, their reasonable travelling charges be allowed, in addition to their pay.

~~That a competent number of clerks to the said temporary chambers be from time to time appointed by the Board of Treasury and reported to Congress for their approbation.~~

[1] This letter is in the *Papers of the Continental Congress*, No. 71, I, folio 339.

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That the pay of the said commissioners respectively be the same as that of those already appointed.

That the Board of Treasury be authorised to apply to the ~~legislature or~~ executive power of any State to appoint a temporary commissioner or commissioners, for the special purpose of joining with a commissioner sent from the said Board to receive and liquidate any of the aforesaid accounts within such State, who, being duly qualified before a magistrate, and the qualification lodged in the treasury, shall respectively have the same powers, and be entitled to the same emoluments for the time ~~he shall be employed as aforesaid~~ he is in office, as a commissioner of the chambers at the treasury.[1]

The committee, appointed to consider and report a plan for the department of foreign affairs, and the committee, to whom were referred the letters from Governor Livingston and Major General Lord Stirling, and the motion thereon;

And the committee, appointed to devise means for the more effectual preventing and punishing the making or uttering counterfeit paper bills of the similitude of the bills of credit emitted by Congress;

And the committee, to whom was referred the petition of John Garcia Duarti, delivered in their several reports.

The Delegates of Pennsylvania beg leave to Report that they have conferred with the President and Council of Pennsylvania on the subject of Governor Livingston and Lord Stirling's letters and the motion made by M^r^ Clark. That the President informs them orders have been issued to the militia of the City and County of Philadelphia to hold themselves in readiness to march at the shortest notice; That the like orders will immediately issue to the Militia of the Counties of Chester and Bucks.

That from the City and those three Counties there is reason to expect as many militia will march as the present occasion will probably require. And that immediate orders for their march shall be given

[1] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 26, folio 161.

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upon the requisition of Congress or His Excellency General Washington.[1]

*Ordered,* That to morrow be assigned for electing commissioners of the chambers of accounts:

The following gentlemen were put in nomination for commissioners of the chambers of accounts:

Mr. George Measam, by Mr. [John Morin] Scott;

Mr. James McComb, by Mr. [William Churchil] Houston.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, JUNE 13, 1780

A note from the honorable the Minister of France was read, with a letter enclosed from Mr. Carabasse.

*Ordered,* That the same be referred to the Committee of Commerce.

*Ordered,* That two members be added to the Committee of Commerce:

The members chosen, Mr. [Edward] Telfair and Mr. [Timothy] Matlack.

A letter, of 9th, from Governor Lee of Maryland;[2]

A letter, of 10, from General Washington; and

A letter, of 30 March, from Thomas Morris, captain of 2d company of Georgia continental artillery at St. Croix, were read.

A letter, of 12, from F. Lewis, one of the commissioners of the Board of Admiralty, with sundry papers enclosed, was read; Whereupon,[3]

It was moved by Mr. [Robert R.] Livingston and seconded by Mr. [Nathaniel] Folsom,

[1] This report, undated, in the writing of Timothy Matlack, is in the *Papers of the Continental Congress,* No. 19, III, folio 591.

[2] This letter is in the *Papers of the Continental Congress,* No. 70, folio 369.

[3] Lewis's letter is in the *Papers of the Continental Congress,* No. 78, XIV, folio 349; that of Thomas Morris in No. 78, XVI, folio 21; that of Washington in No. 152, VIII, folio 591.

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That John Bradford, continental agent at Boston, be directed to deliver to the order of the Board of Admiralty, fifty hogsheads of sugar to be applied to compleat the hull of the 74 gun ship now building at Portsmouth.

After debate, a motion was made by Mr. [James] Duane, seconded by Mr. A[llen] Jones, that the farther consideration thereof be postponed. On the question for postponing, the yeas and nays being required by Mr. [Nathaniel] Folsom,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Ellsworth, | no | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Scott, | ay | |
| Livingston, | no | |
| *New Jersey,* | | |
| Mr. Houston, | no | div. |
| Clark, | ay | |
| *Pensylvania,* | | |
| Mr. Armstrong, | ay | no |
| Searle, | no | |
| Muhlenberg, | no | |
| Matlack, | no | |
| Ingersol, | no | |
| *Virginia,* | | |
| Mr. Griffin, | no | no |
| Henry, | ay | |
| Jones, | no | |
| Madison, | no | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. Burke, | ay | ay |
| Jones, | ay | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Telfair, | no | no |
| Few, | no | |

So it passed in the negative.

On the question to agree to the motion,

Resolved in the affirmative.

A memorial from William Bingham was read:

*Ordered,* That it be referred to the Board of Treasury.

A memorial from William Turner of the State of Delaware was read:[1]

[1] Bingham's memorial, dated June 14, 1780, is in the *Papers of the Continental Congress*, No. 34, folio 87; that of Turner, undated, is in No. 41, X, folio 105.

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*Ordered,* To lie on the table.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Mr. [Thomas] Burke, one of the delegates for the State of North Carolina, a warrant issue on the treasurer, in his favour, for fifteen thousand dollars; for which the said State is to be accountable.

That on the application of Joseph Nourse, assistant auditor general, a warrant issue on the treasurer in favour of Theophilus Gardner, one of the clerks in the auditor general's office, for five thousand dollars, on account of the salary of the said Theophilus Gardner.[1]

The committee on the letter, of 5, from the committee at head quarters, delivered in a report.

According to the order of the day, Congress took into consideration the state of the southern department;

And on motion of Mr. [Thomas] Burke, seconded by Mr. [Thomas] Bee,

*Resolved, unanimously,* That Major General Gates immediately repair to and take command in the southern department.

*Resolved,* That a committee of five be appointed to consider and report a plan for the defence of the southern states:

The members chosen, Mr. [Thomas] Burke, Mr. [Thomas] Bee, Mr. [James] Henry, Mr. [Timothy] Matlack and Mr. [Oliver] Ellsworth.

Congress took into consideration the report of the committee on the letter, of the 5th, from the committee at headquarters; and thereupon,

*Ordered,* That the estimates enclosed from No. 1 to 9, inclusive, be referred to the Board of War, to ascertain the sum of money necessary to be advanced to the quarter master general, to enable him to make the several purchases required by the said estimates for the use of the army.

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 339.

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That the Board of Admiralty take order for supplying the quarter master general with such quantity of the duck and Ticklenburg belonging to the United States in possession of the Navy Board at Boston, as he may have occasion for, to compleat the number of tents wanting for the army, and which can be spared from the immediate use of the navy.[1]

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JUNE 14, 1780

Mr. Artemas Ward, a delegate for the State of Massachusetts Bay, attended and took his seat in Congress.

Mr. John Hanson, a delegate for the State of Maryland, attended and produced the credentials of his appointment, which were read, as follows:

HOUSE OF DELEGATES *December 22, 1779.*

The Honourable Thomas Johnson, George Plater, James Forbes, John Hall, Edward Lloyd and John Hanson Esquires were chosen by a joint Ballot of both Houses to serve as Delegates to Congress.

*Resolved, therefore,* That the said Thomas Johnson, George Plater, James Forbes, John Hall, Edward Lloyd and John Hanson Esquires or any two or more of them be and are hereby declared Delegates to represent this State in Congress.

True extract

J. DUCKETT *Cl Ho Del*[2]

A report from the Board of War was read; Whereupon,

*Resolved,* That the resignation of Captain Levin Handy, of the 5th Maryland regiment, and Ensign Samuel Claypole, of

[1] This report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 21, folio 229. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 7.

A letter to the Commercial Committee from the Board of War, dated June 3, 1780, enclosing extracts of a letter from J. Wilkinson, Clothier General, and a copy of letters from John Moylan to him and of James Moylan to Stephen Moylan were laid before Congress this day. They are in the *Papers of the Continental Congress*, No. 148, I, folios 99–104.

[2] The original is in the *Papers of the Continental Congress*, Maryland, *Credentials of Delegates.*

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the 1st Pensylvania regiment, be accepted; the resignation of the former to take place the 1st of May last.[1]

A letter, of 12, from the committee at headquarters, with sundry papers enclosed, was read:[2]

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Robert R.] Livingston, Mr. [Oliver] Ellsworth and Mr. [Timothy] Matlack.

A report from the Board of War was read; Whereupon,

*Ordered*, That thirty thousand dollars be immediately sent to Major General Gates, to defray his expences on his way to join the southern army; for which he is to be accountable.

That a warrant for one hundred thousand dollars be drawn on the treasurer of Virginia; and another warrant for the like sum be drawn on the treasurer of North Carolina, in favour of Major General Gates towards forming a military chest for the southern army.

*Resolved*, That Major General Gates be and he is hereby authorised to call on the states of Virginia, North Carolina, South Carolina, and Georgia, for such aids of militia and supplies as he shall deem necessary; and it is recommended to the governments of the said states to comply with such requisitions.

That Major General Gates be and he is hereby authorised to appoint a deputy adjutant general, a deputy pay master general, and all other staff officers necessary for the organization of the southern army; the said officers to remain in service until the pleasure of Congress is known.

That Major General Gates be and he is hereby authorised and empowered to take such measures, from time to time, for the defence of the southern states as he shall think most

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 379.

[2] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 64. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 27.

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proper: and it is earnestly recommended to the governments of the said states to give every assistance in their power for carrying such measures into execution.[1]

At the request of the committee, to whom was referred the letter, of 29 May, from the Board of War, and the papers enclosed:

*Ordered*, That they be discharged.

The committee, to whom was referred the report of the Board of War, of the 6th, and a report of the Board of Treasury, of the 8th, having reported specially thereon, and the report being read:

The Committee to whom were referred a Report of the Board of War of the 6th inst. and a Report of the Board of Treasury of 8th Inst. having duly considered the powers of the said Boards as far as they concern the matter in Question between them beg leave to submit the following *Report*,

That the Board of Treasury by ordinance passed the 30th day of July 1779 are authorized to examine into the merits of all requisitions for the advance of money for public service and to report thereon to Congress.

That the Board of War by act of Congress passed on the 17th of Oct 1777 are among other things empowered and directed to obtain and keep exact accounts of the numbers, and disposition of the forces of the United States, to obtain and keep exact accounts of all the Artillery Arms, Ammunition, war like stores, Clothing, Medicines and Provisions belonging to the United States: and in general to superintend the several Branches of the Military Department: and all military and other officers attending upon or connected with the Army of the United States are required and enjoined to observe the directions of the said Board in making and transmitting proper returns and such other matters as may tend to facilitate the Business of the said Board.

That by Resolutions of Congress of the 14th of May 1777 and the 14th of April 1778 it is especially required that the Returns of the Department of the Quarter Master General and Commissary General be transmitted and subjected to the inspection and direction of the Board of War.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 383.

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That by a Resolution of Congress passed on the 10th of November 1778 a special Committee was appointed to superintend the said Departments, and empowered to take such steps relating to the same as they should think were for the public service.

That in pursuance of the said last mentioned Resolution the Committee thereby appointed undertook the superintendance of the said Departments and that all reports of the Board of Treasury for advances to the said Departments were made on estimates or recommendations of the said Committee.

That on the 25th of November 1779 Congress ordered that the Departments of the Quarter Master General and of the Commissaries General of purchases and of Issues should be for the future under the superintendancy and direction of the Board of War: and that the Committee of Congress on those departments should be discharged.

Upon these several proceedings your Committee beg leave to observe that the Board of War from the design of its institution ought to be possessed of a knowledge of the Force of the Army, the condition of the Magazines, the situations of the Posts, and of the general circumstances respecting military arrangements and operations, which in some measure enables them to judge of the necessary supplies: At the same time that that Board having the immediate superintendance and direction of the Departments of the Quarter Master General and Commissary General are vested with authority to make any further arrangements which may be requisite for facilitating the discharge of this Branch of their Part. On the other hand the Board of Treasury not having equal means of information cannot in the opinion of your Committee be so competent to decide on the merits of Requisitions for the advance of money for the said Departments. Your Committee therefore submit the following resolution—

*Resolved,* That the Board of War be directed to continue their attention to the estimates for advances to the departments of quarter master general and commissary general of purchases and of military stores, as far as circumstances will admit, in order to enable the Board of Treasury to decide on the merits of requisitions for such advances, and report thereon to Congress.[1]

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 27, folio 105.

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A letter, of 13, from the Board of War was read, with sundry papers enclosed:

*Ordered,* That the same be referred back to the Board of War to report.

A report from the Board of Treasury was read, enclosing a letter from Eleazer Wales, commissioner of accounts at Albany, wherein he begs leave to resign his office, and represents the inadequate compensation that has been allowed for his services: Whereupon,

*Resolved,* That ~~it is reasonable and just that~~ the resignation of the said Eleazer Wales, be accepted, and that the consideration of his pay be postponed until general provision shall be made relieving against the effects of depreciation.[1]

A petition of Peter Philip de Grain and others was read:

*Ordered,* That it be referred to the Board of Admiralty.

The committee, appointed to report a plan for the defence of the southern states, brought in a report, which was taken into consideration, and Congress having proceeded to the paragraph,

"That no supplies of men nor of provisions except bacon be removed to the northward of the State of Virginia, until the farther order of Congress."

A motion was made by Mr. [Nathaniel] Folsom, seconded by Mr. [James] Searle, that the consideration of that para-

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 345.

The following motion, in the writing of Oliver Wolcott, dated June 14, 1780, is in the *Papers of the Continental Congress,* No. 36, IV, folio 265. It is endorsed: "Motion by Mr. [Jesse] Root, seconded by Mr. [Oliver] Wolcott. Referred to the Board of Treasury."

*Resolved,* That a warrant issue on William Imlay, Esq^r, Commissioner of the loan office in the state of Connecticut in favour of Eleaz^r Wales, Esq., of Hartford late Commissioner of Accounts at Albany for two thousand nine hundred and thirty-five dollars and eighty eight ninetieths of a dollar specie value to be paid in loan office certificates dated day of last when the same was due in full for the arrears of pay due him as commissioner aforesaid.



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graph be postponed. And on the question, the yeas and nays being required by Mr. [Thomas] Burke,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | ay |
| Holten, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Houston, | ay | ay |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Henry, | no | div. |
| J. Jones, | ay | |
| Madison, | ay | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. Burke, | no | no |
| Jones, | no | |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| *Georgia,* | | |
| Mr. Few, | no | * |

So it passed in the affirmative.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, JUNE 15, 1780

A letter, of 24 May, from Major General Lincoln, was read, accompanied with sundry papers containing an account of the surrender of Charlestown.

*Ordered,* That the same be referred to the Committee of Intelligence.

A letter, of 8, from Governor Trumbull, of Connecticut, was read, enclosing a resolution of the general assembly of that State:

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*Ordered*, That the same be referred to the Board of Treasury.

Another letter, of 8, from Governor Trumbull was read: [1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Oliver] Ellsworth and Mr. [James] Henry.

A letter, of March 1, from A. Gillam was read:

*Ordered*, That it be referred to the Committee of Foreign Affairs.

The committee, to whom were referred the letters from the committee at headquarters and papers enclosed, brought in a report, which was read; Whereupon,

*Ordered*, That the Board of War take the most effectual measures for forwarding immediately to the army the supplies of provisions that are procured in the states of Delaware and Maryland, and report to Congress an estimate of the money immediately necessary for that purpose.

*Ordered*, That a circular letter be written to each of the United States from New Hampshire to Maryland, inclusive, enforcing the circular letters from the committee at headquarters.

SIR.

Congress repeat their applications to your state. They would willingly hope that their former representations have not been ineffectual and that measures are now pursuing to enable our armies to take the field, with a force superior to that of the enemy and with such ample supplies of provision as will not only maintain them in plenty but enable them if necessary on any extraordinary occasion to avail themselves of the aid of the militia. But upon these hopes they dare not rely—every moment presses.

It is necessary they should have the most explicit assurances not only that their requisitions will be complied with but that such compliance will be as immediate as their wants are urgent. The ~~letter~~

[1] Lincoln's letter is in the *Papers of the Continental Congress*, No. 158, folio 373; Trumbull's first letter is in No. 66, II, folio 55; his second letter is on folio 59.

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~~which accompanies this~~ letters from our Committee at Head Quarters to you ~~states~~ state those wants without exaggerating them. ~~It mentions~~ They mention some facts and ~~leaves~~ leave to your judgments to supply others that it would have been ~~dangerous~~ improper to commit to paper. The object of this address is only to enforce their requests and to entreat you not to ~~rely~~ repose your safety upon the spirit and vigilance of others while any means within your own power are left untried. The present occasion calls for the united force of America. It gives us great consolation ~~to assure you,~~ that notwithstanding the difficulties, in which ~~the supineness and false security of too many states have~~ we are involved ~~us, their~~ the resources of the states are sufficient if speedily applied to relieve us from them. Every state in the union is bound by the strongest obligations to afford us their aid. ~~what, then, can justify any in withholding it? is the present ease or convenience of the subjects to be put in competition with the lasting happiness of millions? Do the rulers fear at this critical period to exert their utmost authority? Can they so far distrust the feelings and understandings of their people, as to believe that they will refuse a momentary submission to such vigorous exertions of government as are necessary to secure them from continued oppression and established tyranny?~~[1]

A Common Council involves the power of direction. Let not our measures be ~~any longer~~ checked or controuled by the negligence or partial views and interests of separate communities, while they profess to be ~~parts~~ members of one ~~great~~ body—too long have the dearest interests of America been sacrificed to present ease, too many of us have slept in false security. Let us awake before the season for successful exertion is passed. Judge you whether the loss of Charlestown and the situation of your grand army does not call for every spirited ~~exertion~~ effort. The objects which claim your immediate attention are clearly pointed out in the requisitions of Congress and their Committee at Head Quarters. Let them be complied with. Enable us to co-operate vigorously with the fleets and armies of our ally and we may reasonably hope thro' the blessings of Divine Providence for

[1] At this point the following was inserted by Thomson: [And we trust that, at this critical emergency, no present ease or convenience of individuals will be put in competition with the lasting happiness of millions—that the rulers of states will not hesitate to exert their utmost authority, and that the people have too much understanding to refuse a temporary submission to such vigorous exertions as are necessary to secure them from continued oppression and established tyranny.]

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a speedy and happy termination of a controversy which is to give freedom and Independance to millions or involve ~~you and your latest posterity~~ them in slavery and ruin.

~~Let not this be considered as the language of despondency or vain declamation. Our duty and your interest compel us to state your affairs truly. The facts held up to your view are not less serious than alarming; while you affect to disbelieve them or act as if you did, they will become more so. Wisdom directs us not to shut our eyes against danger, but to oppose it with a firmness and vigor which places us beyond its reach.~~[1]

TREASURY OFFICE *June 15, 1780*

The Board of Treasury having considered the memorial of William Bingham, respecting sets of Exchange referred to them by Congress report

That provision is made for the case of William Bingham as set forth in the memorial aforesaid, in their Report of the 7th instant, providing generally for the renewal of bills of Exchange drawn on account of the United States, and that it is expedient to postpone the further consideration thereof, until the sense of Congress is known on the report aforesaid.[2]

Adjourned to 10 o'Clock to Morrow.

## FRIDAY, JUNE 16, 1780

A letter, of 9th, from Governor Jefferson, of Virginia, was read:[3]

*Ordered*, That so much thereof as relates to the Post Office be referred to the Committee on the Post Office to take order;

That the remainder be referred to the Board of War.

A petition of Charles Freeman was read:[4]

*Ordered*, That it be referred to the Committee on the Post Office.

[1] This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 24, folio 280. A copy is on folio 273.

[2] This report is in the *Papers of the Continental Congress*, No. 34, folio 91.

[3] This letter is in the *Papers of the Continental Congress*, No. 71, I, folio 355.

[4] This petition, dated June 16, 1780, is in the *Papers of the Continental Congress*, No. 42, III, folio 57.

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A letter, of 7, from E. Hazard to R. Bache was laid before Congress and read:[1]

*Ordered*, That it be referred to the committee at head-quarters.

A petition of Robert Crothers was read:[2]

*Ordered*, That it be referred to the Board of War to take order.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR, *June 14. 1780*

Present Col° Pickering, Mr. Peters, Col° Grayson, Gen[l] Scott.

The Board beg leave to inform Congress,

That on the 18th of August 1778, Gen[l] Weedon (by a resolution of that date) was permitted to retire, but allowed to hold his rank, and to be called into service whenever from a change of circumstances the difficulties he then laboured under should be removed; that time seems now to be arrived, and he is desirous of serving again.

We therefore beg leave to report,

*Ordered*, That Brigadier General Weedon be called into service, and employed in the southern department as Major General Gates shall direct.

The Board beg leave further to inform Congress, That Col° Dan[l] Morgan (who formerly commanded the rifle corps) on the 18th of July 1779, having for the reasons mentioned in his letter to Congress of that date, desired leave to resign, this board to whom that letter was referred, finding his single motive to resign was the injury he supposed to be done him in giving the command of the light infantry to another, and regretting that so valuable an officer should be lost to the service, proposed to him to accept a furlough, untill the Commander in Chief should call for him, or Congress should take order thereon. To this he agreed and still remains on furlough. The Board therefore beg leave to report,

[1] This letter is in the *Papers of the Continental Congress*, No. 39, II, folio 118.

[2] This petition, dated June 15, 1780, is in the *Papers of the Continental Congress*, No. 42, II, folio 76.

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*Ordered*, That Colonel Daniel Morgan of the Virginia line be called into service, and employed in the southern army as Major General Gates shall direct.[1]

A letter, of 15, from the Board of War was read:

*Ordered*, That it be referred to the Committee of Commerce.

A letter, of 12, from the Board of War was read:

*Ordered*, That it be referred to the Board of Admiralty to take order.

On motion of Mr. [Thomas] McKean, seconded by Mr. [Edward] Telfair,

*Resolved*, That a committee of three be appointed to enquire into the conduct of the quartermaster, respecting the transportation of provisions and stores from Philadelphia to Trenton, and to report thereon to Congress:

The members chosen, Mr. [Thomas] McKean, Mr. [Abraham] Clark, and Mr. [John Morin] Scott.

A letter from the Baron de Benyousky was read:[2]

*Ordered*, to lie on the table.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Richard Phillips, steward to the President of Congress, a warrant issue on the treasurer in his favour, for eight thousand dollars, for the use of the President's household; and for which the said Richard Phillips is to be accountable.

That on the application of Richard Phillips, steward to the President of Congress, a warrant issue on the treasurer in his favour, for four thousand dollars, on account of the salary of the said Richard Phillips and his family.[3]

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 385.

[2] This letter, dated June 15, 1780, is in the *Papers of the Continental Congress*, No. 78, III, folio 481.

[3] This report, dated June 14, 1780, is in the *Papers of the Continental Congress*, No. 136, IV, folio 347.

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That on the application of William Kinnan, copper plate printer, a warrant issue on the treasurer in his favour, for six thousand dollars, for which he is to be accountable.

The Board having Considered the letter from the Board of War dated June 9, 1780 with the papers therein inclosed referred to them by Congress report,

That the several Articles of transportation either by land or water stated in the estimate signed John Johnson A. D. Q. M. General appear only as gross sums and the several particulars are not stated.

The article of Contract by Edward Wright does not shew the quantity, quality, Kind or price of the Forage. The Article of Hay does not state the quantity or Price.

The Article stating purchases of Corn from sundry persons are particular, but the Board of Treasury, not being officially Competent to Judge, cannot say that they were useful and necessary purchases, and therefore cannot report an advance for them. The Board of Treasury are of opinion that the Board of War should order the estimate to be Completed where deficient as above stated, and then certify that the Supplies and services aforesaid are necessary for the public use.

The Board of Treasury decline from these Considerations, to report any advance of public money until such corrected and certified estimates shall be laid before them.[1]

That on the application of Resolve Smith, commissioner of the chamber of accounts, a warrant issue on the treasurer, in his favour, for fifteen thousand dollars, on account of his salary.

That on the application of John D. Mercier, a commissioner of the chamber of accounts, a warrant issue on the treasurer in his favour, for fifteen thousand dollars, on account of his salary.

That on the application of Joseph Scudder, one of the clerks in the War office, a warrant issue on the treasurer in his favour, for five thousand dollars, on account of his salary.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 343.

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That on the application of Gillam Aertson, a clerk in the War office, a warrant issue on the treasurer in his favour, for five thousand dollars, on account of his salary.[1]

That on the application of Cornelius Comegys, clerk in the Treasury office, a warrant issue on the treasurer in his favour, for ~~six~~ five thousand dollars, on account of his salary.

That on the application of William Ramsay, clerk in one of the chambers of accounts, a warrant issue on the treasurer in his favour, for ~~eight~~ five thousand dollars, on account of his salary.

That on the application of Patrick Ferral, clerk in the auditor general's office, a warrant issue on the treasurer, in his favour, for ~~six~~ five thousand dollars, on account of his salary.[2]

On motion of Mr. [Nathaniel] Folsom, seconded by Mr. [Oliver] Ellsworth,

*Resolved*, That Nicholas Gilman, Esq. and John Taylor Gilman, Esq. be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the State of New Hampshire, pursuant to the resolution of Congress of the 18th day of March last.

*Resolved*, That a member be added to the committee appointed to report and consider a plan for the defence of the southern states, in the room of Mr. [Thomas] Burke:

The member chosen, Mr. A[llen] Jones.

Congress proceeded to the election of two commissioners of the chambers of accounts, in the room of Mr. Eleazer M'Comb and the late Mr. Mumford; and the ballots being taken, Mr. Peter R. Fell and Mr. George Measam were elected, ‖the former having been previously nominated by Mr. [William Churchill] Houston and the latter by Mr. [John Morin] Scott.‖

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 325.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 323.

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Congress farther proceeded to the election of commissioners for the two extra chambers of accounts, agreeably to the resolution of the 12th, and the ballots being taken, the following gentlemen were chosen, viz. Mr. Joseph Bullock, Mr. Jonathan Burrall, ‖the former having been previously nominated by Mr. [James] Searle, and the latter by Mr. [Thomas] Burke.‖

*Ordered,* That the election of the other two be postponed.

Mr. John Wharton was nominated by Mr. [James] Searle, for commissioner of the Board of Admiralty.

ADMIRALTY OFFICE *June 16, 1780.*

The Board to whom was referred the letters and other papers relative to the Conduct of John Paul Jones Esq. beg leave to report,

That they have carefully perused said letters and papers wherein they find Honorable mention is made of his Abilities as an officer by the Duke de Vauguyon, Mons^r De Sartine and Doctor Franklin, and is also corroborated by that Valour and Intrepedity with which he engaged His Britannic Majesty's Ship the *Serapis* of 44 Cannon 12 and 18 pounders, who after a severe contest for several Hours, surrendered to his superior valour, thereby acquiring Honor to himself and dignity to the American Flagg.

The Board therefore humbly conceive that an honorable Testimonial should be given to Captain John Paul Jones, Commander of the *Bonhomme Richard* his officers and crew, for their many singular services in annoying the enemy on the British Coasts, and particularly for their spirited behaviour in an engagement with his Britannic Majesty's Ship of war the *Serapis* on the 23^d of September 1779 and obliging her to surrender to the American Flagg.[1]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, JUNE 17, 1780

A letter, of this day, from P[hilip] Schuyler was read, enclosing the draft of a system agreed upon by the committee at head quarters for conducting the quartermaster general's department:[2]

[1] This report is in the *Papers of the Continental Congress*, No. 58, folio 201.

[2] This letter is in the *Papers of the Continental Congress*, No. 153, III, folio 527.

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*Ordered,* That Monday next be assigned for the consideration of the said system.

A memorial of Captain William Pickles was read :[1]

*Ordered,* That it be referred to the Board of Treasury.

A letter, of 24 April, from Joseph Calvert was read:

*Ordered,* That it be referred to the Committee of Intelligence.

A letter of this day from J. Cox was read.[2]

The committee, to whom was referred the memorial of D. Henly, on behalf of Otis & Henly, delivered in a report, which was read.[3]

Congress resumed the consideration of the report of the committee appointed to prepare a plan for the defence of the southern states; Whereupon,

*Resolved,* That the executive power of the State of Virginia, be earnestly requested to order a reinforcement of five thousand militia, including any that may be now in service, to join the southern army with all possible despatch.

That the executive power of the State of North Carolina, be earnestly requested to order a reinforcement of four thousand militia, including such as are now in service, to join the said army.

That the Commanding officer for the time being in the said Department be empowered and directed from time to time to require from the Executive powers of the several States within the limits of his command such reinforcements of militia as shall be requisite to keep the army under his command of the force of ten thousand effective rank and file, and that it be recommended to the said Executive powers to comply with such requisitions as expeditiously as possible. ~~That all such Militia as shall be called into Service, under the said requisitions or~~

Postponed.

[1] This memorial, dated June 15, 1780, is in the *Papers of the Continental Congress,* No. 41, VIII, folio 114.

[2] Calvert's letter is in the *Papers of the Continental Congress,* No. 50, 357; Cox's is in No. 78, V, folio 483.

[3] A marginal note in the journal says: "See 26 May."

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~~which have been or shall be employed against the Enemy after their invasion of the State of Georgia be a Continental Expence~~

~~That it be recommended to the States of Virginia and North Carolina to keep in readiness an additional Force of five thousand Militia in order to join the southern army upon the shortest notice, the said force to be in the following proportions, to wit:~~

~~Virginia three thousand~~

~~North Carolina two thousand~~

~~and that the said Force~~

That it be recommended to the State of Virginia to keep in readiness an additional force of three thousand militia: and to the State of North Carolina, to keep in readiness an additional force of two thousand militia, in order to join the southern army upon the shortest notice.

That no supplies of men, and no provisions except bacon, and so much grain as the executive of the State of Virginia conceive can be spared from the southern army, they bearing in mind that the wants of the grand army are at this time extremely pressing—be removed to the northward of the State of Virginia, until the further order of Congress.

That the monies raised for the use of the United States, in the State of Maryland, and the states to the southward thereof, be appropriated to the supply of the military chest and exigencies of the war in the southern department, until the further order of Congress.

~~That it be Earnestly recommended to the States in the Southern department to take Effectual Measures for enabling the Commanding officer therein to carry on the war with the greatest vigor and to make his movements with the greatest celerity, and to provide that he may have all possible assistance from the Resources of the Country, such assistance to be considered at the Expence of the United States~~

That the Board of War be directed to take effectual measures for supplying the said department with all necessary military stores.

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All which is submitted [1]

On motion of Mr. [Robert R.] Livingston, seconded by Mr. [Thomas] Bee, Congress came to the following resolution:

Whereas it is essential to the due direction of the public affairs, that the superintending power should be intimately acquainted with the measures that have been pursued, in consequence of their resolves, by those on whom, from the nature of the government, the execution of them devolves: and whereas it is equally necessary to examine the source from which the public embarrassments spring:

*Resolved*, That the United States, from New Hampshire to South Carolina, inclusive, except such of them as have made returns of their transactions, be requested, at this critical conjuncture, to inform Congress with the utmost expedition, what measures they have taken in consequence of the several resolutions, a list of which is hereunto annexed.

*Ordered*, That the secretary annex to the above resolution a list of the resolutions which have been passed by Congress since the first day of January, 1779, requiring from the United States a supply of men, money and provisions, in order to be transmitted herewith to each of the abovementioned states.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. O[liver] Ellsworth, delegate from the State of Connecticut, a warrant issue on the treasurer in his favour, for six thousand dollars, for which the said State is to be accountable.

That on the application of Charles Pettit, assistant quarter master general, on account of Major General Greene, Q. M. G.

[1] This report, in the writing of Thomas Burke, is in the *Papers of the Continental Congress*, No. 21, folio 230. It is indorsed by Thomson: "Delivered June 14, 1780; part debated and past; rest postponed." The resolutions were also entered in the manuscript Secret (Domestic) Journal.

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accompanied with estimates approved by the Board of War, the following warrants issue in his favour, amounting to one million and thirty thousand dollars, for the use of the department of the said quarter master general; and for which he is to be accountable, viz.

One on the treasurer for sixty thousand dollars, for the purpose of sending to camp a number of waggons.

Another on the treasurer, for one hundred thousand dollars, for the purpose of paying team hire, tradesmen, watermen, &c.

Another on the treasurer for twenty thousand dollars, for the purpose of collecting and sending horses to camp.

One on the president and supreme executive council of the commonwealth of Pensylvania, for two hundred and fifty thousand dollars (part of the monies raised in the said commonwealth for the use of the United States) to enable John Davis, deputy quarter master general, to comply with certain contracts.

And one on John Lawrence, treasurer of the State of Connecticut, for six hundred thousand dollars (part of the monies raised in the said State for the use of the United States) for the purpose of transporting three thousand barrells of salted provisions from the said State to the State of New York.[1]

A petition of Brimmer and Tracy was read.[2]

Adjourned to 10 o'Clock on Monday next.

### MONDAY, JUNE 19, 1780

Mr. [Roger] Sherman, a delegate for the State of Connecticut, attended and took his seat in Congress.

A letter, of 12, from the president of the senate and speaker of the house of delegates of Maryland, was read,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 349.

[2] This petition, dated May 31, 1780, is in the *Papers of the Continental Congress*, No. 42, VII, folio 394.

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enclosing certain resolutions passed by the general assembly of that State:

*Ordered*, That so much of the said resolutions as relates to arms be referred to the Board of War, and so much as relates to the continental frigates, be referred to the Board of Admiralty.

A letter, of 16, from the committee at headquarters was read, enclosing a letter, of 14, from Major General Greene.

The delegates for New Hampshire laid before Congress a letter, of 27 May, from the president of the council of that State, which was read, and a motion being made thereon,[1]

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Roger] Sherman and Mr. [Abraham] Clark.

A note from the Honorable the Minister Plenipotentiary of France was read, on which certain resolutions being moved,[2]

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Robert R.] Livingston, Mr. [Thomas] McKean and Mr. [Oliver] Ellsworth.

The committee, appointed to prepare a plan for the defence of the southern states, brought in a farther report, which was read; Whereupon,

*Resolved*, That it be earnestly recommended to the States of Virginia and North Carolina, to use their utmost exertions to recruit, remount and equip Baylor's and White's regiments

[1] The Maryland letter is in the *Papers of the Continental Congress*, No. 70, folio 373; the enclosure is on folio 377. The letter from headquarters is in No. 39, I, folio 79; it was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 27. The New Hampshire letter is in No. 64, folio 110.

[2] This note, dated June 18, is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 803.

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of light dragoons, so as to compleat them to at least one and fifty rank and file in each regiment:

That it be recommended to General Washington, if ~~they can be possibly spared~~ not incompatible with the service, to order the infantry belonging to Major Lee's corps, now in Virginia, to proceed on their route and join the southern army, there to be ~~mounted as cavalry or otherwise~~ employed as the ~~commander in chief~~ commanding officer in that department shall think best.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That a warrant issue on Nathaniel Appleton, commissioner of the continental loan office for the State of Massachusetts Bay, in favour of Michael Hillegas, treasurer of the United States, for eight hundred thousand dollars; for which the said Michael Hillegas is to be accountable.[2]

*Ordered,* That the plan for conducting the quartermaster general's department be referred to a committee of five:

The members chosen, Mr. [Philip] Schuyler, Mr. [Artemas] Ward, Mr. [Ezekiel] Cornell, Mr. [John] Armstrong and Mr. [Roger] Sherman.

Congress took into consideration the report of the committee on the representation and petition of John Garcia Duarti; and thereupon,

*Resolved,* That the board of war of Massachusetts Bay, at Boston, forthwith deliver to the said John Garcia Duarti, or to his order, on request, all the coin deposited in their hands, and all the effects yet unsold, being parts of the cargo of the snow *Nostra Senhora de Carmel et Saint Antonio,* without charging him any commission thereon;

That the board of war of Massachusetts Bay, at Boston, do pay, upon demand, to John Bradford, continental agent

[1] This report, in the writing of Thomas Bee, is in the *Papers of the Continental Congress,* No. 21, folio 233.

[2] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 355.

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at Boston, eighteen thousand four hundred and sixty one pounds thirteen shillings and three pence being the amount of the net proceeds of the aforesaid snow and cargo, sold under their direction by order of Congress of the 11th of May, 1778, who is hereby directed to purchase bills of exchange on some merchant or banker in Europe, to as great an amount as the sum of £18,461 13*s*. 3*d*. with interest thereon, at 6 per cent. per annum, to the day of buying the said bills, would have purchased at the time of the sale of the snow and cargo aforesaid, and deliver the same to the said John Garcia Duarti, for the use of his owners; and that the said John Bradford report his proceedings in the premises to Congress, without delay.

*Resolved*, That the bond which Joseph Cunningham gave, at the time he obtained his commission as master or commander of the schooner *Phœnix*, be forthwith put in suit, and that his said commission be thereupon vacated and made void; and also that the said Joseph Cunningham be not admitted to hold any commission under the United States, on board of any ship or vessel of war, until such time as he shall appear and answer such suit, and satisfy the judgment against him, or procure the same to be reversed or set aside by due course of law; and that the monies recovered on such suit be paid to the said John Garcia Duarti, for the use of his owners:

That the said John Garcia Duarti may also prosecute, or cause to be prosecuted, an action or actions against the said Joseph Cunningham, late commander of the private armed schooner of war *Phœnix*, the owners of the said schooner, and any person or persons that may be justly deemed guilty of the seizure and capture of the said John Garcia Duarti, with the said snow, her crew and cargo, or any ways accountable for the same, for the benefit and further reparation of the



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owners of the said snow: such prosecution to be at the expence of the United States.[1]

Congress took into consideration the report of the committee appointed to devise means for the more effectual preventing and punishing the making or uttering counterfeit paper bills, of the similitude of the bills of credit emitted by Congress; and thereupon,

*Resolved*, That if any person or persons shall take and prosecute to conviction any person who shall prepare, engrave, stamp, forge, or print, or cause or procure to be prepared, engraved, stamped, forged or printed, the counterfeit resemblance of any paper bills of credit issued, emitted or made by Congress, or who shall counterfeit or sign the name or names of the signers to any true bills to such counterfeit paper, with the intention that such counterfeit paper shall be passed in payments, or received as genuine and good bills, whether the same be so passed or received or not; or who shall pay or tender in payment any such counterfeit money, or deliver the same to any other person or persons, with an intention that such counterfeit paper be passed, paid or received, as and for good and genuine, knowing the same to be forged or counterfeited; upon every such conviction, and procuring a certificate thereof, under the hands of the judges before whom such conviction shall be had, or either of them, such person or persons shall receive, of the continental loan officer of the State where such conviction shall be had, the sum of ~~one thousand~~ two thousand dollars in the present continental currency, which the said loan officer is hereby directed and required to pay out of any public money in his hands, and to charge the same to the United States.[2]

[1] This report, in the writing of Jared Ingersoll, is in the *Papers of the Continental Congress*, No. 19, II, folio 115.

[2] This report, in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 26, folio 163.

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The committee on the memorial of W. Bingham, and The Committee of Foreign Affairs delivered in reports.

TREASURY OFFICE *June 19. 1780*

The Board having considered the letter from his Excellency Jonathan Trumbull Esq.r Governor of the State of Connecticut with the enclosed Act of the Assembly of said State, referred to them by Congress, beg leave to report,

That the object of the aforesaid letter and Act of Assembly is anticipated, and already provided for in the resolution of Congress dated the seventeenth instant, ordering a Warrant to issue on John Lawrence Treasurer of the State of Connecticut in favor of Charles Pettit Assistant Quarter Master General on account of Nathaniel Greene Quarter Master General, for Six hundred thousand dollars.[1]

Adjourned to 10 o'Clock to Morrow.

## TUESDAY, JUNE 20, 1780

A letter, of 18, from General Washington was read, with sundry papers enclosed:[2]

*Ordered*, That a copy thereof be transmitted to the president and the supreme executive council of the State of Pensylvania, and recommended to their immediate consideration, and that they be requested as soon as possible, to inform the General of the measures taking for a compliance therewith, so far as the same respects the said State.

That so much thereof as relates to a communication with the southern states be referred to the Committee on the Post Office.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE *June 17. 1780*

Whereas sundry persons employed under the immediate direction of this Board, in various departments, whose services cannot be dispensed with, and whose places cannot be supplied, are now called upon by the State to render their respective services in the field with others of the militia called into actual duty,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 351.
[2] This letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 603.

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The Board beg leave to submit the following Resolution

*Resolved*, That the Board of Treasury be empowered to pay the fines, or otherwise indemnify all such persons as may be necessarily employed in the business of the Treasury.

Postponed.

*Ordered*, That on the application of Charles Pettit, assistant quartermaster general, on account of Major General Nathaniel Greene, Q. M. G. accompanied with estimates approved by the Board of War, a warrant issue on the treasurer in his favour, for three hundred thousand dollars, for the purpose of transporting necessary supplies from Trenton to the main army;

And that another warrant issue on John Stevens, treasurer of the State of New Jersey, for one hundred and twenty thousand dollars (part of the monies raised in the said State for the use of the United States) to enable Daniel Marsh, deputy quarter master, to cover the like sum obtained from the said State and applied in the department of the said quarter master general, for both which sums the said quartermaster general is to be accountable.

That on the application of Jacob Hiltzheimer, a warrant issue on the treasurer in his favour, for forty thousand dollars for the purpose of purchasing forage for the horses under his care, for which the said Jacob Hiltzheimer is to be accountable:

The Board having considered the Memorial of Sidney Paul, referred to them by Congress report,

Referred to Committee.

Passed June 26.

That on the 28th day of September 1779 the Commissioners of accounts reported to Congress, that a Warrant issue in favor of George Morgan for eight thousand five hundred and sixteen dollars and thirty one ninetieths of a dollar, on the account exhibited to them by George Morgan aforesaid of the expenses of the Delaware Chiefs in which is included the demand set forth in the memorial aforesaid to which report the Board beg leave to refer Congress [1]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 353.

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*Ordered,* That so much of the report as relates to the memorial of Sidney Paul, together with the said memorial, be referred to a committee of three:

The members chosen, Mr. [John] Walker, Mr. [Edward] Telfair and Mr. [James] Henry.

On motion of the delegates of South Carolina, pursuant to an application from Governor Rutledge, stating the necessity he has been under of purchasing many articles for the use of the troops since he left Charlestown, and requesting, as in the present situation of that State, he has no other means of paying for the same than by draughts on Congress, that his draughts may be honoured.

*Resolved,* That the Board of Treasury, until the further order of Congress, be authorised to accept the bills drawn by Governor Rutledge for the above purpose, to be paid at the election of the holder, either in loan office certificates or in cash, with interest, as soon as the treasury shall be in condition; for which the State of South Carolina is to be accountable; and that the Board of Treasury, from time to time, lay before Congress an account of all such draughts.

Congress took into consideration the report of the committee on the memorial of William Bingham; Whereupon,

The Committee to whom were referred the memorial of Wm. Bingham late Continental Agent in the French Islands in the West Indies, having considered the same and examined Mr Bingham touching the matters contained therein, are Humbly of opinion

1st That the vessel called the *Hope* and her cargo claimed to be lawful prize by the owners of the private armed Ship *Pilgrim* does not appear from the inspection of the papers to have been British property or subject to condemnation as such.

Postponed.

*Resolved,* That the general of Martinique, in ordering the cargo of the brig *Hope* to be sold, and the money to be deposited in the hands of Mr. W. Bingham, till the legality of the capture could be proved, (no courts being at that time

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instituted for the determining of such controversies ||captures|| in that island) shewed the strictest attention to the rights of the claimants, and the highest respect to the opinion of Congress:

That Mr. W. Bingham, in receiving the same, only acted in obedience to the commands of the general of Martinique, and in conformity with his duty as agent for the United States.

*Resolved*, That Congress will defray all the expences that Mr. W. Bingham may be put to by reason of the suits now depending, or which may hereafter be brought against him in the State of Massachusetts Bay, on account of the brig *Hope* or her cargo, claimed as prize by the owners, master and mariners of the private ship of war called the *Pilgrim*.

And whereas the goods of the said William Bingham, to a very considerable amount, are attached in the said suits now depending in the hands of the factors of the said W. Bingham, to his great injury:

*Resolved*, That the general court of the State of Massachusetts Bay, be requested to discharge the property of the said William Bingham from the said attachment; Congress hereby pledging themselves to pay all such sums of money, with costs of suit, as may be recovered against the said William Bingham in either or both the above actions.

*Resolved*, That the navy council at Boston be directed to give such security, in the name of the United States, as the court may require, and to direct the counsel now employed by Mr. Bingham in the defence of the said actions.[1]

Congress took into consideration the report of the Committee of Foreign Affairs, and thereupon came to the following resolutions:

Whereas Congress by their acts and proceedings of the 21, 26 and 30th of October, 1779, did appoint, empower and

[1] This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 19, I, folio 347.

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commissionate the honble Henry Laurens, Esq., their agent in the United Provinces of the Low Countries, for obtaining loans of money on behalf of the United States of North America; and whereas the said Henry Laurens hath been hitherto prevented from proceeding on the business of his said agency, and no other person being authorised to transact the same until he, or some other appointed in his stead, shall repair thither and undertake the execution thereof, a favourable occasion of promoting the interests of these States may in the meantime be lost:

*Resolved, Therefore,* that the honble. John Adams, Esq., now at Paris, be appointed, empowered and commissionated to repair to the said United Provinces of the Low Countries, and there to execute all and singular the duties assigned to the said Henry Laurens, in the acts and proceedings aforesaid, relative to the borrowing of money on behalf[1] of these States, until the said Henry Laurens, or some other person appointed in his stead, shall appear to undertake the execution thereof.

And whereas Congress, by their act of the 23d of November last, did resolve that bills to the amount therein mentioned should be drawn on the said Henry Laurens, part of which have been already sold and probably remitted:

*Resolved,* That the said John Adams be authorised and instructed to accept such of the said bills as may be presented previous to the arrival of the said Henry Laurens, or other person appointed in his stead as aforesaid. That such of the said bills as shall be respectively proved by proper testimony to have been received in Holland, previous to the arrival of the said John Adams, shall be paid at the expiration of six months from the time they shall respectively have been received there, notwithstanding the six months sight at

[1] From this point the entries are made by George Bond, of the Secretary's Office.

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which they are drawn. That if, in the opinion of Mr. Adams, the state of the business of his present commission as minister plenipotentiary will not admit of his proceeding to Holland, or if at any time, by reason of any disability, he shall be prevented from proceeding therein, the honourable Francis Dana, Esquire, be, and he hereby is, vested with the like powers; and that a conditional commission be sent to him for that purpose.

*Ordered*, That the Committee of Foreign Affairs and the Board of Treasury transmit to the said John Adams all papers and documents whatsoever necessary for his information and direction in the premises.[1]

THE COMMISSION TO JOHN ADAMS, ESQUIRE.

The United States of America in Congress assembled, to the Honourable John Adams, Esquire, Greeting.

Whereas by our commission to the honourable Henry Laurens, esquire, bearing date the 30th day of October, in the year of our Lord, 1779, we have constituted and appointed him the said Henry Laurens, during our pleasure, our agent for and on behalf of the said United States, to negotiate a loan with any person or persons, bodies politick and corporate: And whereas the said Henry Laurens has, by unavoidable accidents, been hitherto prevented from proceeding on the said agency: We, therefore, reposing especial trust and confidence in your patriotism, ability, conduct and fidelity, do by these presents constitute and appoint you the said John Adams, until the said Henry Laurens, or some other person appointed in his stead, shall arrive in Europe, and undertake the execution of the aforesaid commission, our agent for and on behalf of the said United States, to negotiate a loan with any person or persons, bodies politick and corporate, promising in good faith to ratify and confirm whatsoever shall by you be done in the premises, or relating thereunto.

Witness his excellency Samuel Huntington, esquire, President of the Congress of the United States of America, at Philadel-

[1] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 25, I, folio 315.

Here Charles Thomson resumes the entries.

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phia, the 20th day of June, in the year of our Lord, 1780, and in the fourth year of our independence.

SAMUEL HUNTINGTON, *President.*

Attest.

CHARLES THOMSON, *Secretary.*

COMMISSION TO FRANCIS DANA, ESQUIRE.

The United States of America in Congress assembled, to Francis Dana, Esquire, Greeting.

Whereas by our commission to the honourable Henry Laurens, esquire, bearing date the 30th day of October, 1779, we have constituted and appointed him the said Henry Laurens, during our pleasure, our agent for and on behalf of the United States, to negotiate a loan with any person or persons, bodies politick or corporate: And whereas the said Henry Laurens having by unavoidable accidents been hitherto prevented from proceeding on his said agency: We have by our commission bearing equal date herewith, constituted and appointed the honourable John Adams, esquire, until the said Henry Laurens, or some other person appointed in his stead shall arrive in Europe, and undertake the execution of his aforesaid commission, our agent to negotiate a loan as aforesaid.

And whereas it may so happen that the said John Adams, by reason of some disability arising from the state of the business of his present appointment, or otherwise, may be prevented from undertaking the execution of the said commission, or having undertaken it, from proceeding therein: We, therefore, reposing especial trust and confidence in your patriotism, ability, conduct and fidelity, do by these presents constitute and appoint you the said Francis Dana, in the event of the disability of the said John Adams, as aforesaid, until the said Henry Laurens, or some other person appointed in his stead, shall arrive in Europe, and undertake the execution of the aforesaid commission, our agent for and on behalf of the said United States, to negotiate a loan with any person or persons, bodies politick or corporate, promising in good faith to ratify and confirm whatsoever shall by you be done in the premises, or relating thereto.

Witness, &c. as before.[1]

[1] The resolutions were also entered in the manuscript Secret Journal, Foreign Affairs. The commissions are taken from the printed Secret Journal.

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The committee, to whom were referred the papers relative to loan office certificates, brought in a report, which was read.

The Committee of Foreign Affairs, to whom was referred the letter from Mr. Henry, late governor of Virginia, delivered in a report.

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JUNE 21, 1780

A letter, of 20th, from C. Camp, speaker of the house of assembly;[1]

And one, of the 20th, from Governor Livingston, of New Jersey, were read.[2]

The committee to whom was referred the note from the hon. the Minister of France, brought in a report, which was read; and thereupon,

The Committee appointed to consider and report upon the memorial of the Minister of France, and the motion made by Mr. Livingston for drawing out the military resources of the United States. Humbly submit the following Resolutions.

*Resolved*, That the Minister of France be informed that Congress have used every means in their power to fulfil their engagements of January last: that they have apportioned the quotas of the several states, and called upon them most earnestly to compleat the same; that the surrender of Charlestown, and the diversion of our force to the southern department, together with the heavy loss sustained by fatigue and desertion in a long and toilsome march, have for the present considerably weakened the main army; that Congress have endeavoured to replace these deficiencies by demanding large additional supplies of recruits and militia from the middle and eastern states, to take the field by the first of July;

[1] This letter is in the *Papers of the Continental Congress*, No. 68, folio 557.
[2] This letter is in the *Papers of the Continental Congress*, No. 68, folio 553.

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that their requests have been frequently reiterated in the strongest terms: that they have reason to believe that many of them are making great efforts to comply with their demand; and that they are not without well grounded expectations that the importance of the occasion will awaken all to the most vigorous exertions; that Congress have demanded from each State immediate information of the measures they have adopted in consequence of their requisitions; that they hope to be thereby enabled more fully to satisfy the wishes of the Minister of France, relative to the matters contained in his memorial; that they do full justice to the solicitude of the Minister of France, for the advancement of the mutual interests of his most Christian Majesty and these United States, and see with pleasure, in the warmth with which he urges measures evidently calculated for the immediate advantage of these states, the intimacy of the union between the allied powers.

And whereas Congress did, in behalf of the United States, assure his most Christian Majesty, by their act of 31st January last, that they would bring into the field twenty five thousand men, exclusive of officers, and at the same time solicit a naval force to co-operate against the common enemy; and whereas advice has been received from the Court of France, that his most Christian Majesty, in compliance with the solicitations of Congress, hath not only directed a considerable naval force to repair to North America, but hath subjoined thereto a respectable body of land forces; and whereas Congress in consequence of their engagements by their act of February last, did call on the several states to compleat their quota of troops to the establishment mentioned in the said act; which quota they have since, from the disaster at Charlestown, found it necessary to increase, and have accordingly approved the requisitions of their committee at head quarters; and whereas none of the states,

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whose battalions were deficient, have yet sent on their recruits to compleat the same, nor afforded any assurances that the requisitions of Congress, and their committee, will be complied with; and whereas the execution of the above requisitions will be extremely hazardous and expensive, unless the farther demands of Congress and their committee, for provision, are punctually complied with; therefore,

*Resolved,* That the said states be requested explicitly, and without the least delay, to inform Congress how far they may rely upon their furnishing the several supplies of men, money and provisions called for by Congress or their committee at head quarters.

And whereas the legislatures of many of the United States are not now convened, though earnestly requested by Congress to continue their sessions, or to vest in some persons such powers as would enable them on the requisition of Congress or their committee, to draw forth the military resources of the State; and whereas Congress are not fully informed whether their magistrates are so empowered:

*Resolved,* That the supreme executive magistrate in each State, where the legislature is not now convened, be requested immediately to inform Congress what measures they have taken, or are empowered to take, in compliance with the above requisitions of Congress, in order that Congress, whose duty it is, may provide that effectual measures be taken that every State in the union contribute their quota to the common defence.

*Resolved,* That the executive magistrate of every State be requested to correspond weekly with the committee of Congress at head quarters, advising them of the measures actually taken from time to time in pursuance of the above recited requisitions of Congress and their committee.[1]

[1] These resolutions were also entered in the manuscript Secret (Domestic) Journal. The report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 25, I, folio 319. The resolutions were transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 7.

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Congress took into consideration the report of the Committee of Foreign Affairs, to whom was referred the letter of 23d. May from P. Henry, Esq., late governor of Virginia, directed to the delegates of that State, wherein they inform "that from the said letter and other papers laid before them, as well as from the information of Mr. George Anderson, the person mentioned in the said letter, they find that Mr. Arnold Henry Dohrman, merchant of Lisbon, hath from the commencement of the present war manifested a warm and steady attachment to the cause and interests of the United States; that he hath expended large sums of money in carrying into practice schemes projected by him for assisting them with cloathing and warlike stores, as well as in supplying great numbers of American prisoners carried into the ports of the Kingdom of Portugal, with money and all other necessaries for their comfortable subsistance while there, and for their return to their own country by such routs as they preferred: that from the great wealth and influence and the favourable dispositions of the said Arnold Henry Dohrman, many benefits might be derived to these states by enabling him to be more publickly and extensively useful under the sanction of authority from Congress; that the committee are assured the said Mr. Dohrman wishes for no salary or emolument for his services, but simply a repayment of his advances, when it shall be most convenient: Whereupon,

*Resolved*, That Arnold Henry Dohrman, of the city of Lisbon, merchant, be appointed agent for the United States, in the kingdom of Portugal, for the transaction of such affairs of the said States as may be committed to his direction.

And whereas an intercourse and protection in the ports and harbours of the kingdom of Portugal would be of essential

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advantage to the ships and subjects of these States, and every means ought to be used to obtain such privilege:

*Resolved*, That the Minister Plenipotentiary of these States at the Court of Madrid be instructed to make application in such mode as he in his discretion may think most advisable for ascertaining the dispositions of the Court of Portugal, and to inform Congress whether any advantageous connection can be formed with that power, and what privileges, if any, can be obtained for the subjects and ships of these States.[1]

*Ordered*, That such parts of the letter from Mr. Henry, and of the consequent communications as respect naval and commercial affairs, be referred to the Board of Admiralty and to the Committee of Commerce respectively.

A letter, of this day, from the Board of War, was read, informing, "that a number of patriotic persons have formed a plan for the establishment of a bank, whose object is the public service; that the directors have applied to that Board to represent to Congress the desire of the company, that a committee of this body may be appointed to confer with the inspectors and directors on the subject to morrow morning: Whereupon,[2]

*Ordered*, That a committee of three be appointed for the purpose above mentioned:

The members chosen, Mr. [Oliver] Ellsworth, Mr. [James] Duane, and Mr. [John Morin] Scott.

Congress took into consideration the report of the committee on the papers relative to loan office certificates, and having made some progress therein,

*Ordered*, That the farther consideration thereof be postponed till to morrow, and that the House meet at nine o'Clock.

Adjourned to 9 o'Clock to Morrow.

[1] These resolutions were also entered in the manuscript Secret Journal, Foreign Affairs.

[2] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 119.

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THURSDAY, JUNE 22, 1780

Mr. Willie Jones, a delegate for North Carolina, attended and produced the credentials of the delegates of that State, which are as follows:

The Sovereign and Independent State of North Carolina

To the Honourable Willie Jones, Whitmill Hill, Thomas Burke, Allen Jones, William Sharpe, and Samuel Johnson Esquires Greeting

We the said State reposing especial trust and confidence in your wisdom, Virtue and fidelity, do by these presents constitute and appoint you the said Willie Jones, Whitmill Hill, Thomas Burke, Allen Jones, William Sharpe and Samuel Johnson Esquires Delegates to represent this State in Congress agreeable to the rules and regulations established by Law; and we do hereby vest in you all the powers, authorities, rights, and priveledges appurtaining or belonging to this your appointment, you governing yourselves from time to time agreeable to such orders as shall be transmitted to you by authority of our General Assembly.

Witness Abner Nash Esquire Governor Captain General and Commander in chief in and over the said State as given under his Hand and the great Seal of the State this 30th day of April Anno Dom. 1780 and in the fourth year of our Independence.

Signed A. NASH.
with the great Seal appendant.

By His Excelly's Comd
J. GLASGOW, *Sec.*[1]

The delegates for South Carolina laid before Congress a letter, of 24 May, from Governor Rutledge, of South Carolina, with sundry papers enclosed, which were read:

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Thomas] Bee, Mr. [Oliver] Ellsworth and Mr. [James] Duane.

[1] The original is in the *Papers of the Continental Congress*, North Carolina, *Crentials of Delegates*.

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A memorial from William Story, clerk to the navy board, eastern department, was read:[1]

*Ordered*, That it be referred to the Board of Treasury.

A letter, of 19, from the committee at headquarters, enclosing a letter of the same date to them from the Commander in Chief, and a copy of a circular letter, of that date, from the committee to the several states, from New Hampshire to Virginia, inclusive.[2]

Congress resumed the consideration of the report of the committee on the papers relative to loan office certificates; after debate a motion was made by Mr. [James] Duane, seconded by Mr. [Samuel] Holten, that the farther consideration thereof be postponed.

And on the question for postponing, the yeas and nays being required by Mr. [Frederick A.] Muhlenberg,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | ay |
| Holten, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Ellsworth, | no | |
| Sherman, | no | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| Schuyler, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | no | no |
| Searle, | no | |
| Muhlenberg, | no | |
| Matlack, | no | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. McKean, | no | no |
| *Maryland,* | | |
| Mr. Hanson, | no | * |

[1] This memorial, dated May 29, 1780, is in the *Papers of the Continental Congress*, No. 41, IX, folio 106; the letter enclosing it is in No. 78, XX, folio 511.

[2] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 85. It was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 28.

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| | | |
|---|---|---|
| *Virginia,* | | |
| Mr. Henry, | no | no |
| J. Jones, | no | |
| Madison, | no | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| ~~A. Jones,~~ | ~~no~~ | |
| [*South Carolina,*] | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Few, | ay | |

So it passed in the negative.

Congress proceeded in the consideration of the report, and a paragraph being under debate, viz.

That the value of the bills when loaned shall be ascertained by computing thereon a progressive rate of depreciation, commencing with the day of &c.

A motion was made by Mr. [Timothy] Matlack, seconded by Mr. [Frederick A.] Muhlenberg, that the blanks be filled with the "first March, 1778." On which the yeas and nays being required by Mr. [Philip] Schuyler,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Ellsworth | no | |
| Sherman, | no | |
| *New York,* | | |
| Mr. Schuyler, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | ay | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | no | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Henry, | no | no |
| Jones, | no | |
| Madison, | no | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |



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| | | |
|---|---|---|
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | no | no |
| Few, | no | |

So it passed in the negative.

A motion was made by Mr. [William Churchill] Houston, seconded by Mr. [Philip] Schuyler, that the blank be filled "first December, 1777."

On which the yeas and nays being required by Mr. [Thomas] McKean,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Ellsworth, | no | |
| Sherman, | no | |
| *New York,* | | |
| Mr. Schuyler, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | ay | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Henry, | no | no |
| J. Jones, | no | |
| Madison, | no | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | no | no |
| Few, | no | |

So it passed in the negative.

A motion was then made by Mr. [Thomas] McKean, seconded by Mr. [Philip] Schuyler, to fill the blank with "10th September, 1777."

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On which the yeas and nays being required by Mr. [Thomas] McKean,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | no |
| Ellsworth, | no | |
| Sherman, | no | |
| *New York,* | | |
| Mr. Schuyler, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Henry, | ay | div. |
| J. Jones, | no | |
| Madison, | no | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | div. |
| Few, | no | |

So the states were equally divided and the question was lost.

A motion was then made by Mr. [Thomas] McKean, seconded by Mr. [Philip] Schuyler, to insert "first September, 1777,"

On which, the yeas and nays being required by Mr. [Nathaniel] Folsom,

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| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | ay | no |
| Ellsworth, | no | |
| Sherman, | no | |
| *New York,* | | |
| Mr. Schuyler, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Searle, | ay | |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Henry, | ay | ay |
| Madison, | no | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Few, | ay | |

So it was resolved in the affirmative.

*Ordered*, That the farther consideration of the report be postponed till to morrow.

The committee, appointed to confer with the inspectors and directors of the proposed bank brought in a report, which was read ~~stating:~~

~~That the gentlemen appointed[1] to confer with the committee, communicated to them a plan for the establishment of a bank for the sole purpose of furnishing and transporting on the credit and by the exertions of the subscribers, three millions of rations and three hundred hogsheads of rum for the use of the army.~~

[1] From this point the entries are made by George Bond, of the Secretary's Office.

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~~That the committee were in the said conference informed that subscribers stand already engaged to support the said bank to the amount of two hundred and seventy-five thousand pounds, Pensylvania currency; and that there is no doubt but that such further sums as will be necessary to its credit and the object of its establishment will be cheerfully subscribed.~~

~~That this liberal offer at a conjuncture when the efforts of the states have not produced sufficient supplies, is equally seasonable and praiseworthy.~~

~~That as the subscribers mean not to derive to themselves the least private gain from their patriotic exertions, so it is the opinion of the committee, that they ought to be fully indemnified against any loss or expense with which it may be attended.~~

The committee also laid before Congress the plan of the bank, communicated to them at the said conference, which being read, Congress thereupon came to the following resolutions:

Whereas a number of the patriotic citizens of Pennsylvania, have communicated to Congress a liberal offer, on their own credit and by their own exertions, to supply and transport three millions of rations and 300 hogsheads of rum for the use of the army, and have established a bank for the sole purpose of obtaining and transporting the said supplies, with greater facility and despatch; and whereas on the one hand the associators, animated to this laudable exertion by a desire to relieve the public necessities, mean not to derive from it the least pecuniary advantage, so on the other it is just and reasonable that they should be fully reimbursed and indemnified: therefore,

*Resolved, unanimously,* That Congress entertain a high sense of the liberal offer of the said associators to raise and transport the before mentioned supplies for the army, and do accept the same as a distinguished proof of their patriotism.

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*Resolved,* That the faith of the United States be, and the same hereby is pledged to the subscribers to the said bank, for their effectual reimbursement and indemnity in the premises.

*Resolved,* That the Board of Treasury be directed to deposit in the said bank, bills of exchange in favor of the directors thereof, on the ministers of these United States, in Europe, or any of them, and in such sums as shall be thought convenient, but not to exceed in the whole one hundred and fifty thousand pounds sterling; that the said bills are to be considered not only as a support of the credit of the said bank, but as an indemnity to the subscribers for all deficiencies of losses and expences which they may sustain on account of their said engagements, and which shall not, within six months from the date hereof, be made good to them out of the public treasury; and in case of failure, such a proportion of the said bills as shall be requisite to make good the said deficiency, shall be negotiated for that purpose by the said directors, and the residue thereof returned into the treasury.

*Resolved,* That upon representation made that the bank stands in need of occasional assistance, Congress will advance as much of their current money as can be spared from other services.

*Resolved,* That a standing committee of Congress be appointed to confer with the officers of the said bank, as occasion may require:

The members chosen, Mr. [Oliver] Ellsworth, Mr. [James] Duane, and Mr. [John Morin] Scott.[1]

Adjourned to 10 o'Clock to Morrow.[2]

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress,* No. 20, II, folio 85.

[2] Here Charles Thomson resumes the entries.

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FRIDAY, JUNE 23, 1780

Mr. [John] Henry, a delegate from Maryland, attended and took his seat in Congress.

A letter, of 20, from General Washington was read.

A letter, of 15, from Governor Jefferson, of Virginia, was read:

*Ordered,* That it be referred to the Committee on the Post Office.

A letter, of 2, from Doctor D. Oliphant, at Charlestown, South Carolina;

And a letter, of 21 May, from Brigadier Lachlan McIntosh at the same place, were read:

*Ordered,* That the former be referred to the Medical Committee.

On motion of Mr. [James] Duane, seconded by Mr. J[oseph] Jones,

*Ordered,* That an extract of the letter, of 20, from General Washington, be sent by express to each of the states, from New Hampshire to Maryland, inclusive, and that the executive powers be most earnestly requested to forward on the supplies of men and provisions with the utmost expedition, and transmit to Congress and the committee at head quarters, with all possible despatch, an account of the proceedings of their respective states, on which the Commander in Chief can rely, and by which he may be enabled to regulate his future operations.

*Ordered,* That so much thereof as relates to cloathing, be referred to the Board of War.

A letter, of 22d, from Major General Lincoln, was read, "informing Congress of his arrival in Philadelphia, and that, stimulated by the double motive of regard to the honor of Congress and his own reputation, he embraces the earliest opportunity of requesting that, agreeably to the resolution

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of 28 November, 1777, an enquiry may be immediately made into the causes of the loss of Charlestown, which has been announced to Congress, and into his conduct as *principal* officer at that post when it was given up;" Whereupon,[1]

*Resolved*, That the Commander in Chief be directed, as soon as circumstances shall admit, to cause an enquiry to be made into the loss of Charlestown, in South Carolina, and into the conduct of the said Major General Lincoln, late commanding officer in the southern department, and cause the proceedings of the court of enquiry to be laid before Congress.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Ezekiel Forman, commissioner of the Board of Treasury, a warrant issue on the treasurer in his favour, for thirty thousand dollars, on account of his salary.[2]

That on the application of Mr. [Philip] Schuyler, a warrant issue on the treasurer, in favour of the committee at headquarters, for ten thousand dollars, for which the said committee is to be accountable.

That on the application of Mr. [James] Duane, a delegate for the State of New York, a warrant issue on the treasurer in his favour, for fifteen thousand dollars, for which the said State is to be accountable.

That on the application of Charles Pettit, assistant quarter master general, on account of Major General Greene, Q. M. G., accompanied with an estimate from the Board of War, a warrant issue on the treasurer in his favour, for one hundred thousand dollars, for the purpose of collecting and forward-

[1] Washington's letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 615. It is printed in the *Writings of Washington* (Ford), VIII, 315. Jefferson's letter is in No. 71, I, folio 363; McIntosh's letter is in No. 162, folio 297; Lincoln's letter is in No. 158, folio 443.

[2] This paragraph is in the *Papers of the Continental Congress*, No. 136, IV, folio 323.

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ing horses to camp; and for which the said Nathaniel Greene is to be accountable.

That on the application of James Stevenson, clerk in the War Office, a warrant issue on the treasurer in his favour, for three thousand dollars, on account of his salary.[1]

That on the application of Ephraim Blaine, commissary general of purchases, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer, in his favour, for one hundred thousand dollars, to be applied in the department of the said commissary general; and for which he is to be accountable.

That on the application of the Board of War, a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the Board of War and Ordnance, for fifty seven thousand five hundred dollars, to enable the said Board to reimburse the like sum advanced by Mr. [Francis] Kinloch, for the purpose of expediting the Maryland troops on their march to the southward; and for which the said Joseph Carleton is to be accountable.

That on the application of Richard Bache, postmaster general, a warrant issue on the treasurer in his favour, for twenty thousand dollars, on account of his salary.

That on the application of Peter Baynton, comptroller for the general Post Office, a warrant issue on the treasurer in his favour, for ten thousand dollars on account of his salary.

That on the application of James Bryson, surveyor of the general post office for the middle district, a warrant issue on the treasurer in his favour, for ten thousand dollars, on account of his salary.[2]

The committee, to whom was referred the letter, of 27 May, from President Weare, of New Hampshire, brought in a report; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 361.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 363.

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*Resolved,* That the honorable M. Weare, President of New Hampshire, be informed, that the pressing exigencies of the United States will not admit of the least deduction from the public revenue at present; that Congress cannot now liquidate the accounts of New Hampshire or any other State with the United States; but that due attention will be paid to the claims of New Hampshire whenever the circumstances of public affairs of a more serious nature will enable them to take them into consideration.[1]

The committee, to whom was referred the letter from Governor Rutledge, brought in a report; whereupon Congress came to the following resolution:

Whereas it has been reported, in order to seduce the citizens of South Carolina and Georgia from their allegiance to these United States, that a treaty of peace between America and Great Britain was about to take place, in which those two States would be ceded to Great Britain:

*Resolved, unanimously,* That the said report is insidious and utterly void of foundation.

That this Confederacy is most sacredly pledged to support the liberty and independence of every one of its members; and, in a firm reliance on the divine blessing, will unremittingly persevere in their exertions for the establishment of the same, and also for the recovery and preservation of any and every part of these United States that has been or may hereafter be invaded or possessed by the common enemy.[2]

*Resolved,* That a member be added to the Committee on the Post Office, in the room of Mr. [Cyrus] Griffin, who is absent:

The member chosen, Mr. [John] Walker.

[1] This report, in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 20, I, folio 5.

[2] This report, in the writing of Thomas Bee, is in the *Papers of the Continental Congress*, No. 20, II, folio 394. An extract from Rutledge's letter is on folio 396.

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*Resolved,* That a member be added to the Board of Treasury, in the room of Mr. [Thomas] Burke, who is absent:

The member chosen, Mr. [Roger] Sherman.

*Resolved,* That a member be added to the Board of War, in the room of Mr. [John] Mathews, who is of the committee at headquarters:

The member chosen, Mr. [Artemas] Ward.

Congress proceeded to the election of two commissioners of the Board of Admiralty, and the ballots being taken,

Mr. William Ellery and Mr. Thomas Woodford were elected.

A motion was made by the delegates for Massachusetts Bay, to empower the President, with the advice of the council, to draw warrants on the deputy paymaster general in that State, for the payment of wages due to artificers, &c. in the continental service.

*Ordered,* That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY, JUNE 24, 1780

The Committee on the Post Office, to whom was referred the petition of Charles Freeman, brought in a report; Whereupon,

*Ordered,* That the said petition, together with the papers enclosed, be referred to the Board of Treasury.

The Committee of Commerce, to whom was referred the communication of the Minister of France, and the letter of 18 May, from Mr. Carabasse, of Cape François, brought in a report, which was read; Whereupon,

That it appears to your Committee a very considerable quantity of Merchandize belonging to the United States as also the materials for completely equipping two Frigates of 36 guns each are in the hands of Mr Carabasse at Cape François.

That the said merchandize consists principally of cloths, linnen, blankets and other articles necessary for the Army to a considerable amount and as your Committee have not the means of bringing those

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effects from Cape François having no public vessels under their direction, they therefore submit the following Resolution.

*Resolved*, That the Board of Admiralty be directed to order one of the continental frigates to proceed as soon as possible to Cape François, and to take on board all such public goods and stores as Mr. Carabasse may have in his hands to ship; and proceed therewith to Delaware or Chesapeak Bay.[1]

The Medical Committee brought in a report; Whereupon,

*Resolved*, That the Medical Committee be authorised to take proper measures for the sustenance and relief of the sick in this city, as well belonging to the army and navy of these States, as to those of our ally.

The committee to whom was referred the letter from the chambers of accounts, respecting certain directions given to them by the Board of Treasury, report,

"That, by the ordinance for establishing a Board of Treasury and the proper officers for managing the finances of these United States, passed the 30 day of July, 1779, the Board of Treasury are entrusted with the general superintendance of the finances of these United States, and are required to see that all public debtors are brought to account, frauds detected, and defaulters punished; they are likewise empowered to instruct in their duty all officers concerned in the finances and accounts, and to suspend any of them for negligence or misdemeanor, until the pleasure of Congress shall be known; where objections shall be discovered against the reports of the commissioners or auditors, the Board of Treasury are to correct their errors; and where the commissioners or auditors may be in doubt, to instruct them; and it is provided, that all orders and instructions to the chambers of accounts and

[1] This resolution was also entered in the manuscript Secret (Domestic) Journal.

The report, in the writing of James Searle, is in the *Papers of the Continental Congress*, No. 31, folio 217.

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auditors of the army, shall be communicated through the auditor general."

From this review of the ordinance the committee observe,

"That the Board of Treasury are made immediately responsible for the settlement of the public accounts, and that they are invested with a general superintending power over the chambers of accounts; ~~that they have a right to assign reasonable hours of office to the respective chambers for the despatch of the public business which ought to be publicly notified that accountants may be informed~~ that it is necessary to the execution of this high trust, that reasonable hours of office be assigned by the chambers, and publicly notified, that the Board of Treasury, as well as the public accountants, may know when to have recourse to them for the despatch of business; that the Board of Treasury, being expressly required to call public debtors to account, and to detect frauds, authority to direct the settlement of one account in preference to another, is necessarily implied; and it is the duty of the chambers to inform the Board of Treasury, whenever required, of their progress in the settlement of any of the public accounts."

"It is also the opinion of the committee, that the said chambers are bound to observe such general instructions, for correcting errors, removing doubts, and facilitating the settlement of the public accounts, as shall be given to them by the Board of Treasury, conforming themselves, as far as possible, to fixed and established rules for administering justice equally and impartially between accountants and the public."[1]

*Resolved*, That Congress agree to the said report.

Adjourned to 10 o'Clock on Monday.

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 26, folio 165.

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**MONDAY, JUNE 26, 1780**

A letter, of 21, from Major General Gates was read.

A letter, of 22, from President Rodney of the State of Delaware, was read, informing Congress of the measures taken by the legislature of that State, in pursuance of the resolutions of Congress and requisitions of the committee at headquarters.

A letter, of 23, from Mr. [Nathaniel] Peabody, one of the committee at headquarters was read.

A letter, of 26, from W. Ellery was read, signifying his acceptance of the office of commissioner of the Board of Admiralty.[1]

A letter, of 24, from the Board of War was read; Whereupon,

WAR OFFICE, *June 24, 1780.*

SIR:

We beg leave to represent to Congress the indispensible necessity of our being immediately furnished with fifty thousand dollars for a purpose which we beg we may be excused from explaining at present; hoping that so small a sum will be confided to our disposal; especially when we assure Congress that the grant we request is essentially necessary for the service.[2]

*Ordered,* That a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the Board of War and Ordnance, for fifty thousand dollars, for which the said Board is to be accountable.

A letter, of this day, from W. Paca and C. Griffin, two of the judges of the Court of Appeals, was read.

A letter, of 22, from Major General B. Lincoln was read:[3]

[1] Gates's letter is in the *Papers of the Continental Congress*, No. 154, II, folio 206; Rodney's letter is in No. 70, folio 737; Peabody's letter is in No. 78, XVIII, folio 299; Ellery's letter is in No. 78, VIII, folio 347.

[2] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 121.

[3] Paca and Griffin's letter is in the *Papers of the Continental Congress*, No. 78, XVIII, folio 307; Lincoln's letter is in No. 158, folio 439.

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*Ordered,* That so much thereof as relates to money be referred to the Board of Treasury;

That so much as relates to general exchange of prisoners be referred to the Commander in Chief, and the remainder to the Board of War.

A memorial of Joseph Basden was read:[1]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. [James] Lovell and Mr. [Jared] Ingersol.

A report from the Board of War was read; Whereupon,

WAR OFFICE, *June 20, 1780.*

Present Colº Pickering Mr Peters Col Grayson.

Col. Armand, having represented to the Board that Mr du Conture had served from its formation, as a volunteer in the legion of the late Count Pulaski—that the Count in consideration of his merit, did in July 1779, appoint him to do the duty of a Cornet and order him to be obeyed as such in the Legion; and that he has ever since acted in that capacity; and Col. Armand having also recommended him to be appointed, The Board beg leave to report

*Resolved,* That Monsieur du Conture be appointed a cornet in the legion commanded by Colonel Armand, to take rank as such from the last day of July, 1779, when he was appointed by the late General Count Pulaski to do the duty of cornet in the legion then under his command.[2]

On motion of Mr. [James] Duane, seconded by Mr. [Roger] Sherman,

*Resolved,* That the instructions of the general assembly of Maryland to their delegates in Congress, respecting the Articles of Confederation, entered on the Journal, the 21st of May, 1779, and the declaration therein referred to, also the act of the legislature of New York on the same subject, read the 7th of March last; and the remonstrance of the

[1] This memorial, dated June 26, 1780, is in the *Papers of the Continental Congress,* No. 41, I, folio 287.

[2] This report is in the *Papers of the Continental Congress,* No. 147, IV, folio 389.

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general assembly of Virginia, presented and read the 28 April last, be referred to a committee of five, who are to consider and report their opinion thereon, so far as they respect the western frontiers mentioned in the said instructions:

The members chosen, Mr. [James] Duane, Mr. John Henry, Mr. J[oseph] Jones, Mr. [Roger] Sherman and Mr. W[illie] Jones.

The committee, to whom was referred the report of the Board of Treasury on the memorial of Sidney Paul, brought in a report, which being read;

The Committee to whom was referred the memorial of Sidney Paul, have according to order, had the same under consideration, and have agreed upon the following Report and Resolutions.

It appears to your Committee that the Commissioners for Indian Affairs by their order of the 3d of June 1779, directed Col George Morgan to liquidate the account of expences incurred by the Indian chiefs while in Philadelphia, which was liquidated accordingly and the Memorialist's claim was included as part thereof—amounting in the whole to 8516$\frac{11}{90}$ dollars.

That the said Morgan paid the Memorialist part of her debt, but there remained due to her the sum of £399 15*s*. 9*d*., equal to 1063$\frac{11}{90}$ dollars: but it does not appear out of what monies such payment was made, no warrant having issued for the payment thereof. Whereupon your Committee came to the following resolution:

*Resolved*, That a warrant issue in favor of the said Memorialist for 1063$\frac{11}{90}$ dollars and for the further sum of 2127$\frac{89}{90}$ dollars amounting in the whole to 3190 dollars—in full of her demand. And—

That another warrant issue in favor of the said Col Geo: Morgan for 7453 dollars to reimburse, or enable the said Morgan to pay the balance of the said Account of expences, incurred by the said Delaware Chiefs, and for which the said Morgan is to be accountable.[1]

[1] This report, in the writing of James Henry, is in the *Papers of the Continental Congress*, No. 19, V, folio 55. Thomson noted at foot: "The above read June 26th 1780 and postponed." In No. 136, IV, folio 359, is the following, also in Henry's hand:

~~The Committee to whom was referred the report of the Board of Treasury, on the memorial of Sidney Paul, have according to order, had the same under their consideration, and have thereupon agreed to the following Report, and Resolutions~~

~~It appears to your Committee that on the last day of June 1779 there was due unto~~

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*Ordered,* That a warrant issue on the treasurer, in favour of George Morgan, for eight thousand five hundred and sixteen dollars and 31/90, in full of his account exhibited for expences of the Delaware Chiefs, (in which is included the demand set forth in the memorial aforesaid); and for which sum the said G. Morgan is to be accountable.

A memorial from Baron de Benyouski was read:[1]

*Ordered,* That it be dismissed.

A letter, of 23, from the Governor of Maryland; and

One, of the same date, from the president of the senate and speaker of the house of delegates of the said State, were read.[2]

Whereas it is represented by the Medical Committee, that difficulties arise in the hospital department, from the arrest of the director general:

*Resolved, therefore,* That the Medical Committee be and they are hereby authorised to take proper measures for car-

~~the memorialist the sum of 1066 dollars for a Balance of her acct. against the United States incurred by providing for the Delaware chiefs when in Philadelphia;~~

~~That the Commissioners for Indian affairs by their order of the 3d of June 1779 directed Col. Geo. Morgan to liquidate the expences of the said Chiefs which was accordingly done, the memorialist's account being part thereof amounting in the whole to 8516 31/90 Dollars;~~

~~That the said Morgan paid all the account of the memorialist except the above balance, but it does not appear to your Committee out of what monies such payment was made, no warrant having issued for the payment thereof; Whereupon, your Committee came to the following Resolutions:~~

~~*Resolved,* That a warrant issue on the Treasurer in favour of the said Memorialist for 1066, part of the said 8516 31/90 and the farther sum of 2132 Dollars amounting in the whole to 3198 Dollars in full of her account; and~~

~~That another warrant issue on the Treasurer in favour of Col. George Morgan for 7450 31/90 Dollars being the residue of the said account of Expences incurred by the Delaware Chiefs, for which the said Morgan is to be accountable.~~

[1] This memorial, undated, is in the *Papers of the Continental Congress,* No. 41, I, folio 291.

[2] The letter from the governor is in the *Papers of the Continental Congress,* No. 70, folio 391; that of the president of the senate and speaker of the house of delegates on folio 385.



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rying on the business of the said department, and that all medical gentlemen and others attached to the said department, pay obedience to the orders of the said committee.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That upon the application of Ephraim Blaine, commissary general of purchases, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favour, for one hundred thousand dollars, to be applied in the department of the said commissary general; and for which he is to be accountable.

That on the application of the Medical Committee, a warrant issue on Abraham Yates, commissioner of the continental loan office for the State of New York, in favour of Robert Johnson, assistant director of the hospitals in the northern department, on account of Jonathan Potts, purveyor general of the military hospitals, for the sum of fifty thousand dollars, one half of which, payable in loan office certificates, and the other half in current money of the United States, to be applied in the department aforesaid; and for which the said Jonathan Potts is to be accountable.[1]

*Ordered*, That the warrant issued in pursuance of the order of May 12, 1780, on Gerard Bancker, treasurer of the State of New York, in favour of William Palfrey, paymaster general, for two hundred and thirty seven thousand three hundred and thirty three dollars, be cancelled and lodged in the auditor general's office, for which sum credit is to be given to the said William Palfrey in the treasury books.[2]

The Board of Treasury, to whom was referred the memorial of William Storey, report, That it is expedient to defer making the said William Storey any allowance for past services, until general rules shall be established by Congress, relieving against the effects of depreciation:[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 367.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 365.
[3] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 367.

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*Resolved,* That Congress agree to the said report.

Congress resumed the consideration of the report of the committee on loan office certificates, and having made some progress therein:

*Ordered,* That the farther consideration thereof be postponed.

*Resolved,* That the committee, appointed to superintend the publication of the Journals of Congress, be empowered to cause the Journal of 1779 to be immediately reprinted in one volume, omitting the yeas and nays.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, JUNE 27, 1780

A letter, of 3, from Marquis de Brétigny, at Martinique;

One, of 23 [24], from the committee at headquarters, enclosing a copy of a circular letter to the states; and,

One, of 17 May, from Brigadier DuPortail, at Charlestown, were read.[1]

A report from the Board of Treasury was read:

TREASURY OFFICE *June 26th 1780*

The Board of Treasury having taken into their consideration a letter from the Board of War dated the 22nd instant with an inclosure from Charles Pettit, and another from John Cox assistant Quarter Master General, demanding one million forty five thousand dollars to make the necessary provision to enable General Washington to move his army; find themselves constrained to lay them before Congress for their consideration and to inform them, that it is utterly out of the Power of the Board to make any provision for this demand, the Treasury of the United States at this time being totally exhausted.

The Board beg leave further to represent that for some time past the Commissioners of the several Continental Loan offices in the

[1] De Brétigny's letter is in the *Papers of the Continental Congress,* No. 78, III, folio 469; Duportail's in No. 164, folio 350. The letter from the Committee at Headquarters, dated the 24th, is in No. 39, I, folio 96; it was transcribed in the Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folio 28.

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respective States, have received but very little money into their offices beyond what is necessary to pay off the daily demands of interest upon them—the office in Boston only excepted. That the only Resources to supply the Treasury with money to carry on the War, are in the Taxes to be gathered in by the States and in the disposal of Bills of Exchange on Spain. For the satisfaction of Congress a list of the Respective Balances due from the several States for Taxes is inclosed upon which it is unnecessary to say more than that many of the warrants, on the States heretofore granted on this fund are yet unsatisfied, and no one Treasury appears to be in a condition to supply immediately any sum. That from the sale of Bills of exchange but a small sum has been yet deposited in the Treasury. In this situation the Board know not which way to turn themselves to afford any relief to the daily pressing demands made on them from many quarters and can only look up to Congress to be enabled to provide for them.

List of Balances due by Individual States To the United States for their respective quotas of the Continental Tax, as assessed by Congress for the years 1778, 1779, and the months of January and February, 1780

| | |
|---|---|
| New Hampshire | 1,700,000 |
| Massachusetts Bay | 4,531,351.60 |
| Rhode Island | 270,982 |
| Connecticut | 1,538,742.27 |
| New York | 2,252,667 |
| New Jersey | 3,622,666.60 |
| Pennsylvania | 6,365,995.30 |
| Delaware | 120,000 |
| Maryland | 6,197,466.60 |
| Virginia | 8,343,589.15 |
| North Carolina | 4,230,000 |
| South Carolina | 6,350,000 |
| Georgia | |
| Dollars | 45,523,460.72 |

Auditor General's Office 26 June 1780

Ja^s Milligan A. G[1]

[1] This report and list are in the *Papers of the Continental Congress*, No. 136, IV, folio 371 and 375. The total should be .52 instead of .72.

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*Ordered,* That it be referred to a committee of five:

The members chosen, Mr. [Oliver] Ellsworth, Mr. John Henry, Mr. [James] Duane, Mr. [Jared] Ingersol and Mr. [Artemas] Ward.

The Board of Treasury report, "That Gerard Bancker, treasurer of the State of New York, hath in consequence of advice from this Board, deposited in the treasury, the sum of one hundred and eighty three thousand dollars, in loan office certificates, to be applied to the credit of that State, in part payment of its quota of taxes; which certificates were issued by Derrick Ten Broek, commissioner of the continental loan office in the said State, and delivered to the aforesaid Gerard Bancker, in lieu of so much money paid into the said office of the emissions of May 20, 1777, and April 11, 1778, which certificates are dated, the 14 May, 1779 and numbered as follows, viz.

| | | | |
|---|---|---|---|
| 10 certificates N | 58 to 67, inclusive, each | 10,000 | 100,000 |
| 12 ditto | 109 to 120 | 5 000 | 60,000 |
| 5 ditto | 137 to 141 | 4 000 | 20,000 |
| 1 ditto | 221 | 3 000 | 3 000 |
| | | Dollars | 183,000 |

"That in pursuance of the resolution of Congress of the second day of January, 1779, the said State should be credited for the aforesaid sum of one hundred and eighty three thousand dollars, and the entry to bear date on the 14 day of May, 1779, which is the date of the certificates: That the said certificates should be cancelled and transmitted to the office from whence they issued, to be filed."[1]

*Resolved,* That Congress agree to the said report.

Congress resumed the consideration of the report on loan office certificates, and the same being gone through, having

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 369.

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been debated by paragraphs, when the question was about to be put,

On motion of Mr. John Henry, seconded by Mr. [James] Duane,

*Ordered*, That the farther consideration thereof be postponed till to morrow.

~~The delegates for New Jersey laid before Congress an act passed by the legislature of that State, in pursuance of the resolutions of Congress, of 18 March last:~~

~~*Ordered*, That it be referred to the Board of Treasury.~~

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JUNE 28, 1780

A letter, of 27, from the Board of Admiralty was read, enclosing a letter, of 26, from Captain A. Whipple:

*Ordered*, That the same be referred back to the Board of Admiralty.

A petition from Thomas Jones and others was read:

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Abraham] Clark, Mr. [Ezekiel] Cornell and Mr. [Frederick A.] Muhlenberg.

Congress resumed the consideration of the report of the committee on loan office certificates, when a motion was made by Mr. James Henry, seconded by Mr. [William] Few, that the further consideration thereof be postponed.

And on the question for postponing, the yeas and nays being required by Mr. John Henry,

| | | |
|---|---|---|
| *New Hampshire*, | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay*, | | |
| Mr. Lovell, | no | no |
| Holten, | no | |
| Ward, | no | |
| *Rhode Island*, | | |
| Mr. Cornell, | no | no |
| *Connecticut*, | | |
| Mr. Huntington, | no | no |
| Ellsworth, | no | |
| Sherman | no | |
| *New York*, | | |
| Mr. Duane, | no | no |
| *New Jersey*, | | |
| Mr. Fell, | no | no |
| Clark, | no | |

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| | | |
|---|---|---|
| *Pennsylvania,* | | |
| Mr. Searle, | no | no |
| Muhlenberg, | no | |
| Matlack, | no | |
| Ingersol, | no | |
| *Maryland,* | | |
| Mr. Henry, | ay | ay |
| Hanson, | ay | |
| *Virginia,* | | |
| Mr. James Henry, | ay | no |
| J. Jones, | no | |
| Madison, | no | |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| *Georgia,* | | |
| Mr. Telfair, | ay | ay |
| Few, | ay | |

So it passed in the negative.

The report being amended so as to read as follows:

Whereas Congress, on the eighteenth day of April last, resolved in the words following, viz. "That Congress will, as soon as may be, make such provision for discharging or continuing the loans that have been made to these United States on loan office certificates, as that the holders of them shall sustain no loss thereon by any depreciation of the bills loaned subsequent to the respective dates of the said certificates;" therefore,

*Resolved,* That the principal of all loans that have been made to these United States, shall finally be discharged, by paying the full current value of the bills when loaned, which payments shall be made in Spanish milled dollars, or the current exchange thereof in other money at the time of payment.

That the value of the bills when loaned, shall be ascertained for the purpose above mentioned, by computing thereon a progressive rate of depreciation, commencing with the first day of ~~June~~ September, 1777, and continuing to the eighteenth day of March, 1780, in geometrical proportion to the time,

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from period to period, as hereafter stated, assuming the depreciation at the several periods to be as follows, viz.

~~On the first day of September, 1777, as 1.25 of a dollar in said bills for one Spanish milled dollar.~~

On the first day of March, 1778, one dollar and three quarters of a dollar of the said bills, for one Spanish milled dollar; on the first of September, 1778, as four of the former for one of the latter; on the first of March, 1779, as ten of the former for one of the latter; on the first day of September, 1779, as eighteen of the former for one of the latter; and on the eighteenth day of March, 1780, as forty of the former for one of the latter:

That the principal of all certificates that have been taken out since the eighteenth day of March last, shall be discharged at the rate of one Spanish milled dollar, or the current exchange thereof in other money at the time of payment, for forty dollars of the said bills of credit received on loan.

That the principal of all certificates that shall hereafter be taken out, until the further order of Congress, be discharged at the same rate and in the same manner as those that have been taken out since the eighteenth day of March last.

That the interest on all loan office certificates, at the rate of six per cent. per annum, computed on the principal ascertained as aforesaid, shall be discharged annually, in like manner as the principal, until the principal shall be paid; provided nevertheless, that the same interest and mode of payment on certificates taken out before the first day of March, 1778, shall ~~at the election of the holder~~ be continued as at present, until the principal ascertained as aforesaid shall be ready to be discharged.

*Ordered*, That the Board of Treasury prepare ~~and report to Congress~~ the proper tables for direction of the commis-

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sioners of the continental loan offices in the several states in paying off the principal and interest of loans, agreeably to the foregoing resolutions.[1]

On the question to agree to the whole, the yeas and nays being required by Mr. John Henry,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts,* | | |
| Mr. Lovell, | ay | ay |
| Holten, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Ellsworth, | ay | |
| Sherman, | ay | |
| *New York,* | | |
| Mr. Duane, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Searle, | ay | ay |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Maryland,* | | |
| Mr. J. Henry, | no | div. |
| Hanson, | ay | |
| *Virginia,* | | |
| Mr. Henry, | ay | ay |
| Jones, | ay | |
| Madison, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Telfair, | no | no |
| Few, | no | |

So it was resolved in the affirmative.

Congress took into consideration the report of the committee on the memorial of D. Henly, on behalf of Otis and Henly; and thereupon,

JUNE 16th 1780.

The Committee to whom was referred on the 26 ult.o The Memorial of David Henley on behalf of Otis & Henley, of Boston, beg leave to report the following remarks—

[1] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 29, folio 190.

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1 That the Board of War having been directed by Congress to take measures for procuring clothing for the Army appointed Agents for that purpose in several States among whom the Memorialists were appointed for the State of Massachusetts Bay.

2 That the orders given by the Board of War to the Memorialists, as appears by the correspondence laid before the Committee, were in many cases indefinite, and always pressing, as the wants of the Army ever called for larger supplies than could be procured.

3 That during the summer of last year an estimate was required by the Board of War from the said Memorialists, ascertaining the sum of money necessary to satisfy the most material orders of Purchase which had been given, which estimate was accordingly sent amounting to about a million three hundred and thirty thousand dollars: this sum, on Account of the scantiness of their funds, the Board could not complete 'till near the end of the year.

4 That the applications of the memorialists for money being from time to time very urgent, the Board of War, about the middle of Nov^r. last informed them, that, from the exhausted state of the Treasury it was impossible to make large remittances: and describing their prospects as very unpromising, give a general assurance that money shall be supplied as fast as it can be obtained.

5 That the said Memorialists, in their answer to the above letter, about the beginning of Dec^r. following, under the impression of inability in the Board of War to compass large purchases, submit to their decision a proposed one the object of which was not supposed to exceed two hundred thousand dollars.

6 That the Board in their letter of 5 Jan^y. last in answer to the above, reject the proposal apparently on account of the scarcity of money, and explicitly forbid further purchases: but before this could reach Boston, the purchase mentioned in the Memorial, amounting to at least thirty thousand Pounds Sterling, was made: the terms of which, tho' favorable as to the time of payment, and for aught that appears to your Committee, in every other respect, the Board of War are unwilling to fulfil as far exceeding the drift and meaning of their orders, and farther still the ability of their funds.

7 That on the other hand the Memorialists alledge the indefinite latitude of the orders, the advantage of the purchase, their good intentions to promote the publick good, and the great detriment which they must suffer, unless their contract is assumed by the Board.

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On mature consideration and the foregoing State of Facts your Committee declare their opinion—

That the orders given by the Board of War did not fully justify the Memorialists in making a purchase to so large an amount at the time when, and under the circumstances wherein, it was made.

But that the articles contracted for being necessary for the Army, and the intentions of the Memorialists in making the contract being apparently directed to promote the public interest, and moreover the terms not being unfavorable, it ought to be complied with as far as possible.

The Committee Submit the following Resolution.

*Resolved,* That the purchase of cloathing for the use of the army, made by Otis and Henly, of Boston, on the 13 day of January last, as agents appointed by the Board of War for that purpose, be confirmed; and that the Board of Treasury agree with David Henly on the best mode of payment, taking care that as large a portion as possible be paid in loan office certificates.

That an interest of six per cent. per annum, be allowed on such part as cannot be immediately discharged, until payment is made.[1]

An act passed by the legislature of the State of New Jersey, in pursuance of the resolutions of Congress, of the 18 March last was laid before Congress:

*Ordered,* That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, JUNE 29, 1780

Mr. S[amuel] Adams, a delegate for Massachusetts bay, attended and took his seat in Congress.

A letter, of 25, from General Washington was read, enclosing a letter, of 24, from Major General Greene, giving an

[1] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 19, IV, folio 479.

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account of an action on the 23, with the enemy near Springfield:

*Ordered,* That the same be referred to the Committee of Intelligence.

*Ordered,* That the Board of War comply with General Washington's request contained in his letter to them, of 21, respecting the infantry of Major Lee's corps.

A letter, of 26, from President Rodney, of Delaware, and one of 21, from Governor Clinton of New York, were read; the latter enclosing an act passed by the legislature of the State of New York, in pursuance of the resolutions of Congress of the 18 March last.

*Ordered,* That the act be referred to the Board of Treasury.

A letter, of 22, from Major Lee was read:

*Ordered,* That it be referred to the Board of War.

A letter, of 13, from J. Bradford was read.

A letter, of 19, from Major General Greene, Q. M. G. was read, with sundry papers enclosed:[1]

*Ordered,* That the same be referred to a committee of three:

The members chosen, Mr. [Oliver] Ellsworth, Mr. [James] Duane and Mr. [James] Madison.

A letter from the Board of Admiralty was read, enclosing a letter, of 28, from Captain Whipple:

*Ordered,* That the same be referred back to the Board of Admiralty to report thereon.

A memorial of William Watson and others of Georgia, and a memorial of Mordecai Sheftall, of Georgia, were read:[2]

[1] Washington's letter is in the *Papers of the Continental Congress,* No. 152, VIII, folio 623; it is printed in the *Writings of Washington* (Ford), VIII, 320; that of Rodney is in No. 70, folio 741; that of Clinton is in No. 67, II, folio 266; that of Lee is in No. 78, XIV, folio 355; that of Bradford is in No. 78, III, folio 477; that of Greene is in No. 155, I, folio 303.

[2] Watson's memorial, dated June 28, 1780, is in the *Papers of the Continental Congress,* No. 41, X, folio 446; that of Sheftall, dated June 28, 1780, is No. 41, X, folio 117.

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*Ordered*, That the same be referred to the Board of War, except so much as relates to money advanced by Mordecai Sheftall, which is referred to the Board of Treasury.

A letter, of 27, from the Board of War was read, enclosing a memorandum of applications made by Charles Pettit, A. Q. M. G. for about 2 months, and monies received in consequence thereof:[1]

*Ordered*, That the same be referred to the committee on the report from the Board of Treasury.

A report from the Board of War on the letter, of 15 May, from the general assembly of Maryland, was read.

WAR OFFICE *June 29, 1780.*

Present Col. Pickering, Mr. Peters, Genl. Ward.

The Board have been honored with a reference from Congress of the letters from the Senate and House of delegates of the State of Maryland, relative to the appointment of a Major General, and such a number of brigadiers, to be taken from the line of that State, as it is entitled to from its quota and number of troops.

The expediency or inexpediency of those appointments, we beg leave to submit to the determination of Congress, after stating such matters as we conceive necessary for their information

There are at present two brigadier Generals taken from the Maryland line, viz, Smallwood and Gist: the former of whom was appointed to that rank on the 23d of October 1776, the latter on the 9th of January 1779. The numbers of brigadiers appointed before them respectively will appear by the inclosed list No. 1. By another list (No. 2) will be seen at one view the numbers of general officers belonging to the several States, with their respective quotas of troops. At this time Maryland has seven regiments of infantry, about as strong as any in the service, besides four full companies of artillery, a part of the German Battalion, three companies remaining of Rawlings' Regt, some scattered infantry in other Corps, and some light dragoons. Upon the whole, we think their quota is as nearly completed as that of any State in the Union. And for two years past the seven regiments of infantry with the Delaware regiment have formed a division commanded by a Major General.

[1] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 127.

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The inclosed list, N° 3, contains the names of the Maryland Colonels, with the dates of their commissions, that if Congress should judge it proper to make promotion of General Officers from that line, the persons entitled thereto, according to the dates of their commissions (should that be made the criterion) may appear.

We beg leave only to add, that we have always conceived it to be a general rule practised upon by Congress, to promote according to the circumstances of any particular State line, when an additional number of general officers was necessary, without regard to the relative rank of the officers in the line at large; and that the addition of one Major General, and one brigadier general will not, in our opinion, exceed the necessities of the service the ensuing campaign.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. [Philip] Schuyler, a delegate for the State of New York, a warrant issue on the treasurer, in favour of Mr. J[ohn] M[orin] Scott, for the use of the said Mr. [Philip] Schuyler, for ten thousand dollars; for which the said State is to be accountable.[2]

A motion being made by the delegates of South Carolina, stating the situation of sundry officers, late belonging to armed vessels in the service of that State, now prisoners of war and arrived in this city, that rations or subsistance be allowed them, and the expence charged to the State of South Carolina:

*Ordered*, That it be referred to the Board of Admiralty.

The Committee on the Post Office, to whom was referred the letter, of 15, from Governor Jefferson, of Virginia, brought in a report; Whereupon,

The Committee on the Post Office to whom was referred the letter from Governor Jefferson of the 15th. ins^t and also an extract of a letter from G. Washington of the 18th. ask leave to report,

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 393; the enclosed lists not being among the papers.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 377.

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That Governor Jefferson be desired to continue the line of expresses from Richmond to Philadelphia agreeably to his proposal; and that he continue them, till farther order of Congress and that he be desired to inform Congress as soon as may be of his proceedings herein.[1]

*Resolved,* That Congress approve the line of communication which Governor Jefferson, as it appears by his letter of 15, is forming, by expresses, southward and northward, and that the same be continued until the further order of Congress.

On motion of Mr. [Samuel] Adams, seconded by Mr. [James] Lovell,

*Resolved,* That Nathaniel Appleton, and Joseph Henderson, Esquires, be appointedcommissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the State of Massachusetts Bay, pursuant to the resolution of Congress of the 18 day of March last.

The committee, to whom was referred the report from the Board of Treasury, with the papers therein referred to, brought in a report; Whereupon,

*Ordered,* That warrants be drawn in favour of the treasurer of the United States, on the treasurers of the several states, from New Hampshire to ~~Virginia~~ Maryland, inclusive, for their respective proportions of the ten millions dollars specially called for by the resolution, of 19 May last; and that expresses be dispatched with the same accompanied with a letter from the President of Congress to the executive powers of the said states.

That warrants be also drawn in favour of the treasurer of the United States on the treasurers of the several states above mentioned, for the remainder of their quotas of assessments due to the first of March last, inclusive, and sent by the same expresses.

That the letter to accompany those warrants be as follows: (See paper No. 1.)

[1] This report is in the *Papers of the Continental Congress,* No. 61, folio 477.

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That the Warrants requested by Charles Pettit Esq^r as assistant to the Quarter Master General, in the application referred to your Committee to the amount of one million and forty five thousand dollars, be drawn on the Treasurer of the United States.[1]

That on the application of Charles Pettit, assistant Q. M. G. in behalf of Major General Greene, quartermaster general, a warrant issue on the treasurer in his favour, for one million and forty five thousand dollars, for which the said quartermaster general is to be accountable, to be applied for the purposes mentioned in the letter, of 21, from the said Charles Pettit to the Board of War.

Circular letter to the States 29^th June 1780.

~~Congress by their Resolution of the 18th of May last called on the several states from New Hampshire to Virginia inclusive to pay into the Continental treasury within thirty days from that time at all events, their respective proportions of ten millions of dollars for the special purpose of transporting stores and provisions and enabling the army to take the field. No part of which money is yet brought into the treasury; tho' the hour is now arrived when the same is earnestly called for and become essential not only to the operations of the present campaign, but the very existence of the army. Expresses are therefore ordered to those several states Virginia excepted with warrants to receive from their treasuries the monies above mentioned. And Congress cannot admit the supposition of their being detained or returning without the money; the whole of which is far inadequate to the present necessities.~~

The Urgent necessity of drawing into the public treasury, the ten millions of dollars mentioned in the act of the 19^th of May was so fully pointed out, that Congress ~~with great~~ exceedingly regret ~~are obliged to complain of~~ the failure of this necessary supply. The conjuncture is already arrived when it is become essential not only to the operations of this campaign but to the very existence of the army, Congress therefore can no longer delay reiterating the most importunate solicitations, that the proportions of each of the states be forwarded immediately. For this purpose they have dispatched

[1] This report, in the writing of Oliver Ellsworth, is in the *Papers of the Continental Congress*, No. 26, folio 105.

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a special messenger, and they trust he will not meet with disappointment.

A further sum must also be speedily had or it will be impossible for the operations to proceed. Congress have therefore drawn on those states for the remainder of their quotas to the first of March last inclusive ~~which warrants are sent by the same expresses~~ and it is their duty to conjure the several states if ~~not ready to discharge those warrants on sight~~ they should still be unprepared, that they will at all events transmit ~~the contents to the~~ their arrears to the period last mentioned to the Continental treasury within thirty days from the date of the warrants.

~~It will be impossible under the embarrassment of an exhausted Treasury to prosecute the war to effect~~ The monthly estimates of Money heretofore made were but barely sufficient at that time. Their value has since greatly diminished and the payment ~~even of these~~ has been delayed long after it became due. These circumstances have already involved our affairs in much perplexity and driven to expedients which nothing but the last necessity could justify ~~a repetition of~~. Permanency and arrangement in the public finances must at every hazard be introduced and supported. In this view Congress do again with the most earnest solicitude, press on the several states, the ~~expediency~~ necessity of vigorous and decisive measures for carrying into full and ~~speedy~~ immediate execution their resolutions of the 18th of March last. The doing which, at the same time that it places public credit on the surest basis, will in the course of the year give all the relief that could possibly result from a further emission equal to the whole that is now in circulation. These resolutions Congress are persuaded are every day better understood and that upon giving them their full effect very much depends, the final establishment of our liberties ~~and independence.~~ It is unnecessary that Congress should suggest to the several states the expediency of providing by loans against any deficiency they may have reason to apprehend from their taxes.

~~Every state is competent to raise its quota required and can best adapt the means of doing it.~~

~~Faithfulness to the sacred trust committed to their care, obliges Congress to be thus explicit and importunate in the present crisis.~~



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The blank bills for the several states will be forwarded as fast as the acts of their Assemblies providing funds for them are transmitted to Congress.[1]

Adjourned to 10 o'Clock to Morrow.

FRIDAY, JUNE 30, 1780

A letter, of 26, from Governor Lee of Maryland was read, informing that the general assembly have passed an act for sinking the quota of that State, of the bills of credit emitted by Congress, agreeably to their requisition of the 18 March last.[2]

*Ordered,* That it be referred to the Board of Treasury.

On motion of Mr. [John] Hanson,

*Resolved,* That Thomas Harwood and Benjamin Harwood, Esqrs. be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the State of Maryland, pursuant to the resolution of Congress of the 18 day of March last.

A report from the Board of War was read; Whereupon,

WAR OFFICE, *June 29. 1780*

SIR

The Board beg leave to lay before Congress a letter from Doct^r Shields which was sent to Gen^l Washington for his decision, and the extract of a letter from Gen^l Washington on the subject

Should Congress approve of the application of Doct^r Shields the Board beg leave to submit the following report

*Resolved,* That Lieutenant Conolly Coan, of the 62d British regiment, captured at Saratoga, be permitted to return to Ireland, his native country, upon parole, for the benefit of his health.[3]

[1] This draft, in the writing of Jared Ingersoll, is in the *Papers of the Continental Congress*, No. 24, folio 275.

[2] This letter is in the *Papers of the Continental Congress*, No. 70, folio 395.

[3] This letter is in the *Papers of the Continental Congress*, No. 147, IV, folio 401.

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The Committee on the Post Office brought in a report; Whereupon,

*Ordered,* That the Committee on the Post Office give directions to the post master general, that the southern post riders be so regulated as to arrive at the place where Congress is sitting, only once a week while the line of expresses, established by Governor Jefferson between the southern and northern armies, is kept up.

The Medical Committee brought in a report; Whereupon,

*Ordered,* That six hogsheads of sugar be reserved for the use of the hospitals in the middle district.

That the Commissary General deliver to the orders of the Medical Committee, five hogsheads of rum for the use of the hospitals in the middle district.

The committee, to whom was referred the plan for conducting the business of the quartermaster's department, brought in a report, which was read, and the first paragraph being taken under consideration, viz.

That there be two more assistant quartermasters general appointed by Congress for the aid and support of the quarter master general.

On the question to agree to the same, the yeas and nays being required by Mr. [Thomas] McKean,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts,* | | |
| Mr. S. Adams, | ay | ay |
| Holten, | no | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Sherman, | no | |
| *New York,* | | |
| Mr. Livingston, | no | no |
| *New Jersey,* | | |
| Mr. Fell, | no | * |
| *Pennsylvania,* | | |
| Mr. Muhlenberg, | no | no |
| Matlack, | no | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. McKean, | no | no |

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| | | |
|---|---|---|
| *Maryland,* | | |
| Mr. Hanson, | no | no |
| Henry, | no | |
| *Virginia,* | | |
| Mr. Jones, | no | no |
| Madison, | no | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Kinloch, | no | no |
| *Georgia,* | | |
| Mr. Walton, | no | no |
| Telfair, | no | |
| Few, | no | |

So it passed in the negative.[1]

The committee, to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress, respecting the Articles of Confederation, and the declaration therein referred to; the act of the legislature of New York on the same subject; and the remonstrance of the general assembly of Virginia, delivered in a report.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY, JULY 1, 1780

A note from the honorable the Minister Plenipotentiary of France was read:[2]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Robert R.] Livingston, Mr. J[oseph] Jones, and Mr. [George] Walton.

*Ordered,* That two members be added to the committee on the letter, of June 19th, from N. Greene, Q. M. G. in the room of Mr. [Oliver] Ellsworth and Mr. [James] Duane, who are absent:

The members chosen, Mr. [Samuel] Adams and Mr. [Robert R.] Livingston.

*Resolved,* That a committee of three be appointed to take proper measures for a public celebration of the anniversary of Independence on Tuesday next:

[1] From this point the entries are made by George Bond, of the Secretary's Office.

[2] This note is printed in *The Diplomatic Correspondence of the American Revolution* (Wharton), III, 822.

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The members chosen, Mr. [Samuel] Adams, Mr. [Robert R.] Livingston and Mr. [Francis] Kinloch.

On motion of Mr. [Robert R.] Livingston, seconded by Mr. [Samuel] Adams, Congress came to the following resolutions:

Whereas Congress have thought proper to erect a monument to the memory of Major General Warren, in consideration of his distinguished merit and bravery, and to make provision for the education of his eldest son; and whereas it appears that no adequate provision can be made out of his private fortune for the education and maintenance of his three younger children: therefore,

*Resolved,* That it be recommended to the executive of Massachusetts Bay to make provision for the maintenance and education of the said three children of the late Major General Warren.

*Resolved,* That Congress will defray the expence thereof, to the amount of the half-pay of a major general, to commence at the time of his death, and continue until the youngest of the said children shall be of age.[1]

A letter, of this day, from the Board of War was read:

*Ordered,* That the same be referred to the Medical Committee, and that they take order thereon.

A report from the Board of War was read; Whereupon,

WAR OFFICE, *July 1, 1780*

SIR,

Some time since, Congress were pleased to authorize the Board to contract for cloathing for the army, to the extent of thirty thousand pounds sterling.

The Board had it in contemplation at that time to furnish the army from a different quarter than had been usually practised; The event however has shewn, that their plan is not now to be depended on, and it has in fact succeeded but in a small degree.

[1] See *ante* Vol. XII, p. 917.

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As it appears from the Extracts of his Exc^y General Washington's letters referred to the Board, that the troops are in the greatest distress, for the want of shirts and linen overalls in particular, the Board request that Congress would authorize them to lay out twenty thousand pounds sterling of the above mentioned sum, in the immediate purchase of those necessary articles wherever they can be procured. They therefore report

*Resolved*, That the paymaster of the Board of War and Ordnance be furnished with bills on Europe to the amount of twenty thousand pounds sterling, to be applied by the said Board towards supplying the army with cloathing.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. [Roger] Sherman, a delegate from the State of Connecticut, a warrant issue on the treasurer in his favor, for four thousand dollars, for which the said State is to be accountable.

That on the application of Richard Phillips, steward to the President of Congress, a warrant issue on the treasurer in his favor, for eight thousand dollars, for the use of the President's household; and for which the said Richard Phillips is to be accountable.[2]

Adjourned to 10 o'Clock on Monday.[3]

### MONDAY, JULY 3, 1780

A letter, of 28 June, from Governor Jefferson of Virginia was read, enclosing a copy of a letter, of 25, from Governor Nash; and one, of 26, from Colonel Monroe at Crosscreek.

A letter, of 30 June, from the committee at headquarters was read, enclosing a copy of a letter, of 27, from General

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 411.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 405.
[3] Here Charles Thomson resumes the entries.

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Washington, and of their letter, of 28, to the president of the council and speaker of the house of assembly of Maryland.[1]

A letter, of 1, from H. Laurens was read, enclosing invoice and bill of lading of indigo, taken out of the *Adriana*, and reshipped on board the *Peggy*, Captain Bryan, for Cadiz, and a note wherein Mr. Laurens expresses a wish, if it be agreeable to Congress, that the indigo may be on his own account and risque:[2]

*Ordered*, That so much of the said letter, with the note, as relates to the indigo, be referred to the Committee of Foreign Affairs, and that they confer with Mr. Laurens and report thereon:

That the remainder be also referred to the Committee of Foreign Affairs.

A letter, of 27 June, from Governor Clinton, of New York, was read, enclosing a copy of his letter, of 24, to the committee at headquarters.[3]

A letter, of 29 June last, from Joseph Bullock was read, informing that he is under the necessity of declining the honor Congress intended him by appointing him a commissioner of the extra chambers of accounts.

A letter, of 29, from President Rodney, of Delaware, was read, enclosing copies of an act passed by the legislature for raising supplies, and of an act for raising 315 militia.[4]

A report from the Board of Admiralty was read; Whereupon,

[1] The Virginia letter is in the *Papers of the Continental Congress*, No. 71, I, folio 367. The letter from the committee at headquarters is in No. 39, I, folio 96, and a transcript of the letter and of the enclosures is in Committee Book, 1780, Proceedings of the Committee appointed on the 13th of April, 1780, folios 28, 201, and 334.

[2] Marginal note by Thomson: "See March 23."

[3] Clinton's letter of 27 is in the *Papers of the Continental Congress*, No. 67, II, folio 270; a copy of his letter, of 24, is on folio 274, and it is also transcribed in the Committee Book, 1780, Proceedings of the Committee appointed on the 13th of April, 1780, folio 78.

[4] Rodney's letter is in the *Papers of the Continental Congress*, No. 70, folio 745; that of Bullock in No. 78, III, folio 489

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ADMIRALTY OFFICE *July 3, 1780.*

SIR,

In answer to your letter of the 29th ultimo relative to the inclosed bill drawn by Captain Whipple on your Excellency for 7,350 Dollars, for the purpose explained by Captain Whipples order, also, inclosed, which we beg may be laid before Congress, and

*Ordered,* That a warrant issue on the treasurer, in favour of the Board of Admiralty, for seven thousand three hundred and fifty dollars, to enable them to discharge a bill drawn on the President of Congress by Abraham Whipple, in favour of John Gaborial, for a like sum, dated at Charlestown, May 10, 1780, expressed to be for two thousand four hundred and fifty gallons of beer supplied to the continental frigates under the command of the said A. Whipple, viz. the *Providence, Boston, Queen of France* and *Ranger.*[1]

*Ordered,* That so much of Governor Jefferson's letter, as relates to the navigation of Chesapeake Bay, be referred to the Board of Admiralty to take order.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of the Board of War, a warrant issue on the treasurer, in favour of Joseph Carleton, pay master to the said Board, for the sum of fifty thousand dollars for the purpose of paying certain artificers; and for which he is to be accountable.[2]

The Board of Treasury, to whom was referred the petition of Charles Freeman, report:

That it is not in their power to relieve the grievance therein set forth, and that ~~John Mitchell~~ the deputy quarter master general in the city of Philadelphia, is fully competent to the settlement of that account:

*Resolved,* That Congress agree to the said report.

[1] This report is in the *Papers of the Continental Congress,* No. 37, folio 255.

[2] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 407.

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JUNE 30, 1780

Whereas an order of the Board has been delivered to the treasurer of loans which is now unexecuted, and the Board finding it expedient that it should not be executed, have ordered it to be returned, which order is not obeyed, under the opinion that the Board have no right to recall an order that may have been delivered in due form—

Committed.

The Board of Treasury beg leave to report that Congress take the premises into consideration, and determine thereon.[1]

*Ordered*, That so much of the report of the Board of Treasury, as relates to the treasurer of loans, be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [William Churchill] Houston and Mr. [Samuel] Holten.

On motion of Mr. [Robert R.] Livingston, seconded by Mr. [James] Searle,

*Resolved*, That the line of communication by expresses formed by Governor Jefferson be continued by the Board of War, from Philadelphia to headquarters.

A memorial from Josiah Hewes was read:[2]

*Ordered*, That it be referred to the Board of Treasury, to take order:

*Ordered*, That two members be added to the committee, appointed to confer with the directors and inspectors of the proposed bank, in the room of Mr. [James] Duane and Mr. [Oliver] Ellsworth, who are absent:

The members chosen, Mr. [Robert R.] Livingston and Mr. ~~Houston,~~ [Samuel] Adams.

Mr. [Francis] Kinloch, one of the committee appointed on the 12th of April, to prepare the bills to be struck, in pursuance of the resolutions of the 18 March last, reports,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 379.

[2] This memorial, dated July 3, 1780, is in the *Papers of the Continental Congress*, No. 41, IV, folio 119.

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That the committee have regulated the shape and ornaments of the bills and the type to be used, and that his colleague being absent, he desires the committee may be discharged; Whereupon,

*Resolved,* That the said committee be discharged, and that the farther execution of the business be referred to the Board of Treasury.

A letter, of this day, from the Board of War was read, enclosing a letter, of 30 June, from H. Hollingsworth:[1]

*Ordered,* That the same be referred to the Board of Treasury.

The report of the committee, to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress, respecting the Articles of Confederation, and the declaration therein referred to; the act of the legislature of New York on the same subject; and the remonstrance of the general assembly of Virginia, being read:

*Ordered,* That the same be taken into consideration on Wednesday next.

On motion of Mr. S[amuel] Adams, seconded by Mr. [William Churchill] Houston, Congress came to the following resolution:

It being of the utmost importance, more especially at this critical juncture, that the most speedy and accurate intelligence should be had of the movements of the enemy, by sea as well as by land: therefore,

*Resolved,* That the Board of Admiralty be and they are hereby directed to take the most effectual means in their power for obtaining, from time to time, certain intelligence of the arrival of the enemy's ships of war into any port or ports of North America, the number of their guns, and the condition they may be in, together with such movements as

[1] This letter is in the *Papers of the Continental Congress,* No. 148, I, folio 133.

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they may make from one port to another, that so this Congress may be duly and exactly informed of the naval strength and situation of the enemy, and be able to communicate such information to our ally as the common welfare shall require: and the said Board are particularly directed to obtain the earliest intelligence of the arrival of any ships of war in or near the port of New York.

Adjourned to ½ past nine o'Clock to Morrow.

### TUESDAY, JULY 4, 1780

Met and adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JULY 5, 1780

A letter, of 28 June, from Governor Livingston, of New Jersey was read.[1]

Congress resumed the consideration of the report on the quarter master's department, and some progress being made therein:

*Ordered*, That the farther consideration thereof be postponed.

The Committee of Foreign Affairs, to whom was referred the letter, of the first, from the honble H. Laurens, brought in a report; Whereupon,

*Resolved*, That the request of Mr. H. Laurens that the thirty two barrels and one firkin of indigo mentioned in his letter, of the first, may be on his own account and risque, and not on that of the United States, as mentioned in the resolution of the 23 of March last, be complied with; and that the papers be sent to the Board of Treasury, that the necessary entries may be made in the books.[2]

[Adjourned to 10 o'Clock to Morrow.]

[1] This letter is in the *Papers of the Continental Congress*, No. 68, folio 561.

[2] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 19. III, folio 415.

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THURSDAY, JULY 6, 1780

Mr. Richard Howly, a delegate for the State of Georgia, attended and produced the credentials of his appointment, which are as follows:

GEORGIA In ASSEMBLY *January 11th 1780*

*Resolved* that in Case it should be found Necessary to depart the State by His Honor Richard Howly Esquire Governor that in that case, he shall have a right to Join in the Representation of this State in Congress during the ensuing Year, and untill others shall be appointed.

Extract from the Minutes

Attest Wm GLASCOCK

GEO SEEGAR *Speaker*[1]

C. H. A.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE *July 3, 1780*

Whereas the late necessities of the Southern Army under the command of Major General Lincoln rendered it expedient to draw bills on the President of Congress, which by a resolution of Congress of the twenty third day of March last, are ordered to be accepted by the Board of Treasury on the terms therein prescribed; and whereas several Bills under the description aforesaid are daily presented for acceptance of which no advice has been received, nor can be furnished until General Lincoln reaches his papers already sent before him to some place in New England, and whereas many inconveniences will arise from suffering the said Bills to be protested, or from delaying the payment thereof. The Board beg leave to submit the following Resolution.

*Resolved*, That the Board of Treasury be authorized to accept, without advice, such bills, drawn by Major General Lincoln on the President of Congress, as, in their discretion, shall be deemed proper, and may have been or hereafter

[1] The original is in the *Papers of the Continental Congress*, Georgia, *Credentials of Delegates*.

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may be presented within one month from this date, at which time it is expected a complete and accurate return of the bills aforesaid will be made by General Lincoln.

*Ordered*, That on the application of the Medical Committee, a warrant issue on the treasurer, in favour of Jonathan Potts, purveyor of military hospitals, for twenty thousand dollars for the purpose of purchasing necessaries for the hospitals in the middle department; and for which the aforesaid Jonathan Potts is to be accountable.[1]

Congress resumed the consideration of the report of the committee on the quarter master's department, and in debating the paragraph for fixing the pay of the quarter master general, which in the report was stated at 166 dollars, per month, in addition to his pay as an officer in the line,

A motion was made by Mr. [Thomas] McKean, seconded by Mr. [John] Fell, to strike out 166 and insert 100.

On the question shall 166 stand, the yeas and nays being required by Mr. [Samuel] Holten,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. S. Adams, | ay | ay |
| Lovell, | ay | |
| Holten, | no | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Sherman, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Scott, | ay | ay |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | no | div. |
| Houston, | ay | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Matlack, | ay | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. McKean, | no | no |

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 409.

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| | | | | | |
|---|---|---|---|---|---|
| *Maryland,* | | | *North Carolina,* | | |
| Mr. Hanson, | ay | ay* | Mr. W. Jones, | ay | ay |
| *Virginia,* | | | Hill, | ay | |
| Mr. Henry, | no | ay | *South Carolina,* | | |
| Jones, | ay | | Mr. Kinloch, | no | no |
| Madison, | ay | | *Georgia,* | | |
| Walker, | ay | | Mr. Telfair, | ay | ay |
| | | | Few, | ay | |
| | | | Howly, | ay | |

So it was resolved in the affirmative.

Congress proceeded in the consideration of the report, and some progress being made,

*Ordered,* That the farther consideration thereof be postponed.

Congress resumed the consideration of the report of the Committee for Foreign Affairs, on the letter, of the 1st, from Mr. Laurens, wherein they report, as their opinion,

That it is highly expedient that the hon. H. Laurens do repair to Europe, without loss of time, in order to enter on the discharge of the commission to negotiate a loan, to which he has been appointed by Congress.[1]

*Resolved,* That Congress agree to the said report.

On motion of the delegates for the State of Pensylvania, in pursuance of instructions from the president and supreme executive council of the said State,

*Resolved,* That the Board of Treasury be directed to supply the president and supreme executive council of the State of Pensylvania with bills of exchange, drawn on the Minister of the United States at the Court of France, to the amount of one thousand pounds sterling, for which the said State is to be accountable.

[1] This resolution was also entered in the manuscript Secret Journal, Foreign Affairs. The report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 19, III, folio 415.

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The committee on the letter, of 8 June, from Governor Trumbull, delivered in their report.

TREASURY OFFICE *July 5, 1780*

The Board of Treasury beg leave to Report,

That in pursuance of a Resolution of Congress of the 23d day of November last the sum of one hundred thousand and twenty five pounds eleven shillings sterling in Bills of Exchange at six months sight on the Hon'ble John Jay Esquire Minister Plenipotentiary at the Court of Madrid have been prepared under the directions of this Board. That all the said Bills have been sold, or reserved for the use of American Prisoners, or deposited in the Pennsylvania Bank, except about ten thousand pounds sterling; also that in pursuance of the aforesaid Resolution the sum of one hundred thousand one hundred and thirty six pounds five shillings and nine pence sterling in Bills of Exchange at six months sight on the Hon'ble Henry Laurens Esquire, Commissioner of the United States of America in Amsterdam, have been prepared in like manner,—the whole of which, has been disposed of, or deposited in the Pennsylvania Bank, from which Representation, if Congress are determined to make further draughts, they may be enabled to judge of the propriety of giving immediate directions.[1]

Adjourned to 10 o'Clock to Morrow.

## FRIDAY, JULY 7, 1780

A memorial of George Howell was read:

*Ordered*, That the prayer of the said memorial be granted.

A memorial of William Turnbull was read:

*Ordered*, That it be referred to the Board of Treasury.

A memorial of Charles Crowly was read:[2]

*Ordered*, That it be referred to the Board of War.

A report from the Board of Treasury was read; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 413. It is indorsed: "Read July 6, 1780."

[2] Howell's memorial, dated July 5, 1780, is in the *Papers of the Continental Congress*, No. 41, IV, folio 123; that of Crowly, dated July 6, 1780, is in No. 41, II, folio 106.

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TREASURY OFFICE, *July 5, 1780.*

The Board of Treasury having considered the extract of a memorial from Mordecai Sheftal referred to them by Congress report

That it doth not appear to this Board from the Extract aforesaid that the said Mordecai Sheftal can be entitled to any allowance for depreciation on account of the four hundred and seventy one dollars by him received.

*Ordered,* That on the application of Ephraim Blaine, commissary general of purchases, accompanied with estimates approved by the Board of War, a warrant issue on the treasurer in his favour, for two hundred and forty thousand and eighty two dollars and 69/90, to be applied in the following manner:

One hundred thousand dollars, in part payment of certain provisions furnished by the merchants of this city, and the residue being 140,082 69/90 dollars, agreeably to his estimate dated the first day of the present month; and for which the said Ephraim Blaine is to be accountable.[1]

~~The Board of Treasury, to whom was referred an extract from the memorial of Mordecai Sheftall, report.~~

The committee, to whom was referred the note from the honble. the Minister of France, brought in a report, which was read.

On motion of Mr. [Roger] Sherman,

*Resolved,* That a member be elected for the Board of Treasury, in the room of Mr. J[ames] Henry, who is absent:

The member chosen, Mr. [Edward] Telfair.

*Resolved,* That a member be added to the Medical Committee, in the room of Mr. J[ames] Henry:

The member chosen, Mr. [Abraham] Clark.

Congress took into consideration the report of the committee on the note from the honble the Minister of France; and thereupon,

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 411.

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The Minister of France, having in a note dated 28th June, informed Congress that the Court of Madrid has sent to the Havana a considerable body of forces to make a diversion in that quarter; and that the governor of Havana desires that as much flour and fresh provisions, such as cattle, hogs, suet, lard and pulse, as can be spared, should be sent thither; and the Minister having intimated that three thousand barrels of flour are immediately wanted, and that he will undertake to have that quantity purchased and sent, if Congress approve the measure—the following answer was returned:[1]

The Committee to whom were referred the Memorial of the Honorable the Minister of France, requesting leave to purchase sundry articles mentioned therein on account of his Catholic Majesty's armaments in the West Indies.

Humbly Report the following Resolutions.

*Resolved*, That the Minister of France be informed, that though the loss of Charlestown, the numerous army the states are under the necessity of maintaining in the southern department, the ravages of the enemy, and the lightness of the late crops in the middle states, as well as the present extraordinary demand for the purposes of an effectual co-operation with the expected armament of his Most Christian Majesty, have not left these states in a situation to admit of any considerable export of provisions; yet Congress, desirous to testify their attention to the necessities of his Catholick Majesty's colonies and armaments, and as far as lies in their power to compensate for the failure of supplies of rice, which an alteration in the circumstances of the southern states has unhappily rendered it impracticable to afford, have resolved, that it be recommended to the State of Maryland to grant permission to

[1] This preamble was entered only in the manuscript Secret Journal, Foreign Affairs.



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such agent as the Minister of France shall appoint, to purchase within that State any quantity of flour, not exceeding three thousand barrels, and to ship the same to such colonies of his Catholick Majesty in the West Indies as the Minister of France may direct. That many of the articles mentioned in the memorial of the Minister of France being such as the colonies of his Catholick Majesty furnish upon better terms than they can be procured from these states in their present situation, it is to be presumed that they will feel no inconvenience from Congress not entering at this time into any determination thereon.

*Resolved,* That Congress will from time to time afford such supplies to the colonies of his Catholick Majesty as their circumstances may require, and the situation of these states enable them to grant.[1]

On motion of Mr. [James] Lovell, seconded by Mr. [Roger] Sherman,

*Resolved,* That the commission which was agreed to on the first day of November, 1779, for the honble Henry Laurens, as a commissioner to negotiate a treaty of amity and commerce with the States General of the United Provinces of the Low Countries, be delivered to him; and that the consideration of the instructions relative to the negotiation of the treaty be for the present deferred, and that Mr. Laurens, on his arrival in Holland, inform himself of the state of affairs in that country, and advise Congress particularly thereof, that they may be enabled to decide with more certainty upon the terms on which such treaty ought to be settled.[2]

On motion of Mr. [James] Searle, seconded by Mr. [Thomas] McKean,

[1]These resolutions were entered also in the manuscript Secret Journal, Foreign Affairs. The report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 25, I, folio 321.

[2]This resolution was also entered in the manuscript Secret Journal, Foreign Affairs.

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*Resolved*, That the Board of Treasury be directed to furnish Mr. Laurens with bills on France to the amount of one thousand pounds sterling, on account of his salary, out of those bills ordered to be drawn by the resolution of the 19th of May last.

*Ordered*, That Mr. [James] Searle have leave of absence.

Adjourned to ten o'Clock on Monday.

### MONDAY, JULY 10, 1780

A letter, of 24 February, and one of May 3, from Gardoqui & Sons, at Bilboa;

A letter, of 3 April, and three letters, dated 4 April, from the honble. J. Adams, at Paris, were read:[1]

*Ordered*, That they be referred to the Committee of Intelligence.

A letter, of 6, from General Washington; and a letter, of 5, from Mr. P. Schuyler, were read.

A letter, of 6, from Mr. P. Schuyler, was read:

*Ordered*, That so much thereof as relates to the frigates be referred to the Board of Admiralty.

A letter, of 2d, and one of 3, from Governor Jefferson, of Virginia, were read.

A letter, of 4, from Major General Gates was read:[2]

*Ordered*, That it be referred to the Board of War.

A letter, of 7, from Mr. Holker was read, enclosing a letter from Major General Lincoln, an invoice of goods taken for the use of the southern army:

*Ordered*, That the same be referred to the Committee of Commerce.

[1] The letter of April 3 is printed in *The Diplomatic Correspondence of the American Revolution* (Wharton), III, 593; one of the letters of April 4 on p. 596.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, VIII, folio 633; Schuyler's letter, of 5, is in No. 153, III, folio 533 and that of 6 is in 39, I, folio 109; Jefferson's letter of July 2 is in No. 71, I, folio 379; his letter of June 30 (July 3 being an error in the Journal) is on folio 387; Gates's letter is in No. 154, II, folio 210.

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A letter, of July 8, from the honble. H. Laurens;

A memorial from D. Lockwood, and a memorial of W. Watson, were read:[1]

*Ordered,* That they be referred to the Board of Treasury.

A letter ~~of 10~~ from Brigadier General Weedon, and one, of 7, from Lieutenant Colonel Deriks, were read.[2]

A report from the Board of War was read; Whereupon,

WAR OFFICE *July 8, 1780*

SIR,

We have received the enclosed certificate from Capt Stith relative to Capt: Baylor's desire to resign his commission. We are also informed by him and Major Jameson that the wound Capt: Baylor received in his ankle at the battle of Germantown, on the least injury happening to it, is extremely troublesome, and that this induces him to resign.

Congress came to the following resolution:

Captain Walker Baylor, of Colonel Baylor's regiment of light dragoons, having desired leave to resign his commission,

*Resolved,* That his resignation be accepted.[3]

A report from the Board of War was read; Whereupon,

*Resolved,* That all cloathing arriving from Europe, belonging to the United States, be delivered at the port of arrival, to agents appointed by the Board of War to receive them, without passing through the hands of the continental agents for prizes; any former order of Congress notwithstanding.

That the Board of War take order for the reception of the said cloathing, and give such instructions to their agents, on all matters relative thereto, as shall, in the opinion of the said Board, be most conducive to the public interest.[4]

[1] Lockwood's memorial, dated July 7, 1780, is in the *Papers of the Continental Congress*, No. 41, V, folio 222; that of Watson, dated July 10, 1780, is in No. 41, X, folio 448.

[2] Diriks's letter is in the *Papers of the Continental Congress*, No. 78, VII, folio 293; Weedon's, dated June 30, is in No. 159, folio 394.

[3] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 415.

[4] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 421.

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A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE *July 10, 1780*

The Board of Treasury beg leave to Report,

That Michael Hillegas in behalf of sundry persons apply to this Board, for Loan Office Certificates in payment for Bills of Exchange drawn by General Lincoln, and claim, as an equitable demand, that interest shall be allowed them on the several sums so demanded from the date of their being presented for payment, either to the President of Congress or this Board—And the Resolution of Congress of 23rd March last not being clear as to interest being allowed when payment is made in Loan Office Certificates—The Board therefore submit the following Resolution:

*Resolved,* That the Board of Treasury be authorized to allow interest on the bills drawn by Major General Lincoln, when payment is made in loan office certificates, in the same manner as directed by the resolution of Congress of the 23 March last, where payment is to be made in current money.[1]

The committee, to whom was referred the report of the Board of Treasury, of the 30th of last month, respecting an order issued to the treasurer of loans, brought in a report, which was read; Whereupon,

*Resolved,* That the superintending boards have an undoubted right to repeal and countermand, alter, amend and renew any order officially issued and delivered to the executive officers in their departments, respectively: but it is not expedient, nor have they a right, to recall any ~~Original~~[2] order after the same is delivered at the proper office, though it should not have been executed. In cases where it is necessary to correct an order it ought to be renewed, the original still remaining in the hands of the officer to whom it was directed, as his voucher ~~unless he should choose,~~

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 419.

[2] "Original" struck out by order 11th.—Note by Thomson.

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~~from motives of complacency and accommodation, to return it.~~[1]

~~*Resolved*, That a committee of three be appointed to enquire into the mode of conducting business in the several offices of the department of the Treasury.~~

The committee also laid before Congress a letter, respecting the Board of Treasury, from the treasurer of loans, which being read,

*Ordered,* That it be referred to ~~the Board of Treasury~~ a committee of three:[2]

The members chosen, Mr. [Thomas] McKean, Mr. [William Churchill] Houston and Mr. [Samuel] Holten,

A motion was made by Mr. [Thomas] Bee, seconded by Mr. [Nathaniel] Folsom, that it be

*Resolved,* For special reasons that the Board of War do take the most speedy measures for the exchange of Lieutenant Colonel John Laurens, one of General Washington's family, and now a prisoner of war on parole.

A motion was made by Mr. [Samuel] Holten, seconded by Mr. [John Morin] Scott, to strike out the words "for special reasons," and on the question shall the words stand, the yeas and nays being required by Mr. [John Morin] Scott,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. S. Adams, | ay | ay |
| Holten, | no | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | ay |
| Sherman, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Scott, | no | no |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |

[1] This report, in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 26, folio 191; the enclosures are in No. 136, IV, folios 381–401.

[2] Thomson wrote in the margin "Altered 11th on reading the Journal."

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| | | |
|---|---|---|
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Muhlenberg, | [ay] | |
| Matlack, | ay | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Jones, | no | ay |
| Madison, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | div. |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | div. |
| Telfair, | no | |
| Few, | ay | |
| Howly, | no | |

So it was resolved in the affirmative.

On the question to agree to the resolution, the yeas and nays being required by Mr. [John Morin] Scott,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. Adams, | ay | ay |
| Holten, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | ay |
| Sherman, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Scott, | no | no |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Jones, | no | no |
| Madison, | no | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Bee, | ay | ay |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |
| Few, | ay | |
| Howly, | ay | |

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So it was resolved in the affirmative.

The committee, to whom were referred the letters from Governor Galvez and O. Pollock, brought in a report, which was read; Whereupon,

The Committee to whom were referred the letter of his Excellency Bernardo de Galvez of the 8th of May last, together with the letter of Oliver Pollock of the 20th of January last with the papers enclosed have considered thereof and agreed to report—

That it appears to your Committee Captain Wm Pickles Commanding a Schooner in the service of the United States in the Month of Sept: 1779 entered the Lake Pontchartrain and Captured the British Armed Sloop *Wt Florida*, which had been in possession and command of the Lake near two years before, and after taking the Sloop landed part of his men in the district of Country on Lake Pontchartrain between the Bayou le Combe and the river Tanchipaho and obtained from the inhabitants of that district a submission in writing, acknowledging their subjection to the United States, a copy whereof (the original being in his possession) hath been transmitted to Congress by the said Oliver Pollock.

That it also appears to your Committee by the letters of the Governor of Louisiana that Capt Pickles in the Sloop *West Florida* by joining the force of these States under his command with that of Spain greatly facilitated the reduction of *West Florida*, which acknowledgement on the part of his Excellency Governor Galvez together with the submission of the inhabitants on Lake Pontchartrain may in the opinion of your Committee serve to strengthen and support the claim of the United States to the free Navigation of the river Mississippi, and to a port or ports on the said river, the Committee therefore submit the following Resolution:

*Resolved*, That a copy of the capitulation of the inhabitants on the Lake Pontchartrain, dated the 16 October, 1779, and copies of the letters of his Excellency Bernardo de Galvez, governor of Louisiana; the one to the President of Congress, dated 8 May, last, and the other to Oliver Pollock, dated 21 October last, be transmitted to the honble John Jay.

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at the Court of Madrid ~~to be made such use of in the course of his negociations with that Court as he shall think proper.~~[1]

TREASURY OFFICE *July 7 1780*

Whereas a Resolution of Congress of yesterday directs the Board of Treasury to supply the President and Supreme Executive Council of the Commonwealth of Pennsylvania with Bills of Exchange on the Minister Plenipotentiary of the United States at the Court of Versailles to the amount of one thousand pounds Sterling.

And whereas all the Bills of that description, are now in the office of the Treasurer of Loans assigned to the Respective States agreeable to the Directions of Congress, by an order of the Board dated the first day of June last, which the said Treasurer of Loans has been required to return to this office and has refused to the great delay of public Business, and on which conduct a Report was made to Congress on the thirtieth day of June last, for their determination thereon.

And Whereas it being expedient that the aforesaid Resolution of yesterday should be immediately executed, the Board have deemed it necessary to draw other Bills in pursuance thereof, which are herewith transmitted to receive the sanction of Congress and to be signed by the President.[2]

Adjourned to 10 o'Clock to Morrow.

## TUESDAY, JULY 11, 1780

A petition of Du Maine and Peter Joseph Lion, merchants, was read:[3]

*Ordered*, That it be referred to the Board of Admiralty.

A letter, of the 10th, from the Board of Admiralty, enclosing a representation signed Isaac All, was read; and

The delegate for the State of Rhode Island laid before Congress instructions from their constituents, which were read:

[1] This resolution was also entered in the manuscript Secret Journal, Foreign Affairs. The report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 19, V, folio 193.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 415. It was read July 10, as the indorsement shows.

[3] This petition, undated, is in the *Papers of the Continental Congress*, No. 42, V, folio 189.

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*Ordered*, That the same be referred to the Committee of Foreign Affairs.

*Ordered*, That the Committee of Intelligence cause to be published the resolution of May 5th, 1778, respecting the 11 and 12 articles of the treaty of amity and commerce between his Most Christian Majesty and these United States, and a copy of the said treaty as finally ratified.[1]

A memorial of William Stewart was read.

On motion of Mr. [Roger] Sherman, seconded by Mr. [Thomas] McKean,

*Ordered*, That the Board of Treasury supply the bills to the president and supreme executive council of the State of Pensylvania, pursuant to the resolution of the 6th instant, out of the bills ordered to be drawn by the resolution of the 19th May last.

A report from the Board of Admiralty was read; Whereupon,

BOARD OF ADMIRALTY *July 10 1780.*

By the depretiation of our money the pay and subsistance of officers, and the pay of the men in the sea Service, as established by Resolutions of Congress, ceases to afford any encouragement to them to enter into it, to remedy this difficulty, the Board beg leave to submit to Congress the following Resolutions

*Resolved*, that the pay of the officers and men, in the navy of these States as fixed by the act of Congress of the 15th Nov.r 1776, be hereafter considered as and paid in specie or other money equivalent.

*Resolved*, that the subsistance money of officers of the navy, as regulated by the act of Congress of the 25 of July 1777 be hereafter considered as, and paid in specie or other money equivalent.

[1] The various papers relating to the treaties, and the treaties themselves, were printed under May 4 and 5, 1778, *ante*, Vol. XI, 419, 459.

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*Resolved*, that a bounty of twenty dollars in specie or other money equivalent be allowed to every able seaman, and of ten dollars to every ordinary seaman or landsman who shall enter into the sea service for a twelve month, one half thereof to be paid to them before their sailing, and the other half at the expiration of twelve months, to be computed from the time of their entry and inlistment.

*Resolved*, that forty continental dollars, or one dollar of the bills which shall be issued by the respective states in pursuance of the act of Congress of the 18th of March last, be considered as an equivalent to a dollar in specie, in the payment of the bounty wages and subsistance mentioned in the foregoing resolutions.

*Resolved*, that the foregoing resolutions so far as respects their wages shall extend to ~~the officers and~~ the men who entered on board the *Trumbull*, under the Command of James Nicholson Esqr, the ~~officers and~~ men that have entered on board the *Saratoga* under the Command of John Young Esqr, the ~~officers and~~ men that have entered on board the *Dean*, Samuel Nicholson Esqr Commander for her present cruise and on board the *Confederacy*, Seth Harding Esqr Commander for the present cruise.[1]

*Ordered*, That so much of the letter, of 6th, from Mr. [Philip] Schuyler, as relates to subsistance of the army, be referred to the Board of Treasury.

The committee on the letter, of 27, from the Board of War;

The Committee to whom was referred the letter from the Board of War of the 27th ultimo beg leave to report it as their opinion.

That it is not expedient in the present critical conjuncture to dispose of any money in payment of debts incurred in the Quarter Master's Department, the whole that can at present be brought into the public Treasury being absolutely necessary for the purchase of provisions, immediately wanted for the Army, especially as order has

[1] This report is in the *Papers of the Continental Congress*, No. 37, folio 261.

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That the conditions of payment therein mentioned making no allowance for depreciation, and bringing the accounts aforesaid to a final settlement, are attended with consequences too considerable to be accepted by the Board without the further direction of Congress,[1]

July 11, 1780.

The Committee to whom was referred a letter of the 10th May last from the Committee at Head Quarters, and who were directed to confer with the President and Council of Pennsylvania and such Committee as the General Assembly of the said State should appoint,

Report,

That the objects of the appointment of the said Committee, having been provided for by measures long since taken by the State of Pennsylvania, the Committee request to be discharged.[2]

Adjourned to 10 o'Clock to Morrow.

## WEDNESDAY, JULY 12, 1780

A letter, of 10, from Mr. Du Simitière was read:[3]

*Ordered,* That the consideration of the report of the committee on his memorial, of 22d July, be assigned for Friday next.

A petition of Lieutenant Henry La Clause; and

A petition of Lieutenant Louis J. de Beaulieu,[4] were read:

*Ordered,* That they be referred to the Board of War.

A report from the Board of War was read:

At a Board of War *July 11, 1780*

Present. Col Pickering, Mr. Peters, Col. Grayson Genl Scott.

The Board having taken into consideration the enclosed extract of a letter from Genl Washington, and entirely coinciding with his Excellency in opinion, beg leave to report,

[1] A marginal note says: "Mr. Holkers Letter and Mr. Hillegas certificate enclosed, returned to the Board July 12." This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 417.

[2] This report, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 21, folio 237. It is indorsed: "Delivered in July 11, 1780."

[3] This letter is in the *Papers of the Continental Congress*, No. 78, XX, folio 515.

[4] La Clause's petition, undated, is in the *Papers of the Continental Congress*, No. 42, II, folio 82; that of de Beaulieu, undated, in No. 42, I, folio 214.

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Whereas great inconveniences have arisen in consequence of the regulation of June the 28th 1779 respecting promotions in the army of the United States, and there being too much reason to apprehend that if the present mode is pursued, the whole business of arrangement will be involved in the utmost perplexity and confusion, to the great prejudice of the service, it is therefore resolved.

That the act of June the 28th 1779, giving the States the exclusive right of making promotions in their respective lines, be repealed.

That when vacancies happen in any Regt in the service of the United States, the commanding officer shall signify the same to the Commander in Chief, or the commanding officer of the Department where such regiment shall be, who shall transmit information thereof to the Board of War, with the names of the officers intitled to promotion, agreeably to the principles established by Congress to the end, that commissions may issue, provided, nevertheless that nothing herein contained shall be construed to take from the States their right of nominating for all new appointments [1]

*Ordered*, That it be taken into consideration on Monday next.

*Ordered*, That the memorial of William Stewart, which was read yesterday, together with his memorial, read February 17, 1779, and reported on the 18 of the same month, and the papers therein enclosed, be referred to the Board of Treasury.

Congress resumed the consideration of the report of the committee on the quartermaster's department, and in considering that part of the report allowing the brigade forage master one ration of forage,

A motion was made by Mr. [Thomas] McKean, seconded by Mr. [John] Fell, to strike out that part, and on the question shall it stand, the yeas and nays being required by Mr. [Ezekiel] Cornell,

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 425. It was negatived July 26, see *post* under that date.

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| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. S. Adams, | ay | ay |
| Lovell, | ay | |
| Holten, | ay | |
| Ward, | ay | |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Livingston, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | no | div. |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. McKean, | no | no |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. Jones, | no | ay |
| Madison, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Mathews, | ay | ay |
| Bee, | ay | |
| Kinloch, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |
| Howly, | ay | |

So it was resolved in the affirmative.

Congress took into consideration the report of the committee on the letter, of June 8th, from Governor Trumbull; and after debate,

*Ordered,* That it be referred to a committee of five:

The members chosen, Mr. [Roger] Sherman, Mr. [Thomas] McKean, Mr. [William Churchill] Houston, Mr. [Timothy] Matlack and Mr. [Robert R.] Livingston.

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, JULY 14, 1780

A letter, of 10th, from the committee at headquarters was read, enclosing copy of their letter to the states southward of Delaware to Virginia, inclusive, and of their letter to the association of merchants in Philadelphia:[1]

[1] A draft of this letter is in the *Papers of the Continental Congress*, No. 39, I, folio 111; it was transcribed in Committee Book, 1780, Proceedings of the Committee appointed on the 13th of April, 1780, folio 28.

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*Ordered,* That the same be referred to the committee appointed to confer with the inspectors and directors of the proposed bank in Philadelphia.

The Committee of Commerce laid before Congress a letter, of 13th, from E. Blaine, which was read:

*Ordered,* That it be referred to the Board of Treasury.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Joseph Carleton, paymaster to the Board of War and Ordnance, a warrant issue on the treasurer in his favour, for ten thousand dollars, for the contingent expences of office; and for which the said Joseph Carleton is to be accountable.

That on the application of Aaron D. Woodruff, clerk in the Secretary's office, a warrant issue on the treasurer in his favour, for five thousand dollars, on account of his salary.

That on the application of John M. Jackson, clerk in the Secretary's office, a warrant issue on the treasurer in his favour, for five thousand dollars, on account of his salary.

That on the application of Charles Morse, clerk in the Secretary's office, a warrant issue on the treasurer in his favour, for six thousand dollars, on account of his salary.

That on the application of Thomas Edison, clerk in the Secretary's office, a warrant issue in his favour, for six thousand dollars, on account of his salary.

The Board Report, That Samuel Patterson Commissioner of the Continental Loan Office for the State of Delaware has repeatedly desired to be discharged from the office aforesaid, that on the fifth day of April last a letter was written to the President of the State aforesaid, acquainting him with the desire aforesaid of Samuel Patterson, and requesting to be informed when his Successor should be appointed, to which letter no answer has been received; That as Samuel Patterson aforesaid continues to urge his Resignation, it appears necessary that his request should be communicated by Congress to the President aforesaid; and the Board beg leave further to

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report, That it is expedient to recommend that in the ensuing choice of a Commissioner of the Loan Office for the State of Delaware, a person well qualified with a knowledge of accounts be entrusted with that office, that the accounts may be properly kept, and returns made in due time and form.[1]

A note from the Board of Admiralty was read, enclosing a commission for Captain Van Dyke:

*Ordered*, That it be referred back to the Board of Admiralty.

A report from the Board of War on the letter, of 4th, from General Gates, was read.

AT A BOARD OF WAR, *July 13, 1780*

Present Col Pickering Mr Peters Col Grayson

The Board having considered the letter from Genl Gates of the 4th inst: referred from Congress, beg leave to observe

That the number of troops required of Virginia, as her quota of the Continental Army is sufficient to furnish commands for two Major Generals and four Brigadiers; and agreeably to the principle which seems to be established, that the troops of each State are to be commanded by General Officers of its own, at least that each State should have General Officers enough to command her own troops, it would appear that Virginia is entitled to promotion for one of her Brigadier Generals, and upon a comparative view of the number of her Genl Officers, with those of most of the other States, Virginia has not at this time her proportion as Congress will observe by the papers referred with the report respecting the demand of Maryland for an augmentation of General Officers. If she gives another Major General to the Army, there will then be room for another Brigadier from her line, in which case, Colonel Morgan being now her eldest Colonel, as appears by the arrangement would clearly be entitled to the promotion. These observations are founded upon a supposition that Virginia will fill up her quota to the establishment—of which Congress can best judge—at present she is greatly deficient. But exclusive of every other consideration, Col. Morgan has great pretensions to promotion from personal merit. He early embarked in the present war, and uniformly distinguished himself as

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 421. It is indorsed: "Passed except the last paragraph July 14, 1780."

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an active brave and useful officer. It is now suggested by Gen[l] Gates' letter that he would be peculiarly serviceable in the southern army, in the command of a select corps of light Troops. Upon the whole the Board submit to Congress the propriety of complying with Gen[l] Gates' request, should they be of opinion that Col[o] Morgan should be promoted. The Board beg leave to report

That Col. Daniel Morgan be promoted to the rank of Brigadier in the army of the United States[1]

According to order,

Congress took into consideration the report of the committee on a memorial of Mr. du Simitière; and thereupon came to the following resolutions:

Whereas Pierre Eugène du Simitière, of the city of Philadelphia, hath, with great industry, and at much expense, collected materials for a literary work to be entitled, "Memoirs and observations on the origin and present state of North America," and hath solicited Congress to grant him encouragement in preparing and publishing the same; and whereas Congress are fully satisfied that a work of this nature will greatly tend to diffuse useful knowledge,

*Resolved*, That for the encouragement of the said Mr. du Simitière, in carrying on and compleating his said undertaking, it be, and it is hereby recommended to the several states, upon his application, to afford him such assistance as may be most beneficial to him, in rendering his said work compleat and useful.[2]

~~That the sum of two thousand dollars in continental bills or other currency equivalent, be paid yearly to the said Mr. du Simitière for three years, the better to enable him to proceed and finish the same.~~[3]

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 432.

[2] Thomson noted in the margin: "July 22. On motion of Mr. [Francis] Kinloch, *Ordered*, That this be not printed." The resolution was also entered in the manuscript Secret (Domestic) Journal.

[3] Thomson noted in the margin: "This paragraph upon reconsideration was struck out July 15." The report was delivered Nov. 26, 1779; see *ante*, vol. XV, p. 1316.

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A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Charles Pettit, assistant quartermaster general, accompanied with an estimate approved by the Board of War, a warrant issue on the Treasurer in his favour, on account of Major General Greene, Q. M. G., for one hundred and fifty thousand dollars, to be applied in the department aforesaid, ~~by Francis Wade Deputy Quartermaster General~~ and for which the said Major General Greene is to be accountable.

That on the application of Messrs. [John] Mathews and [Francis] Kinloch, delegates for the State of South Carolina, a warrant issue on the treasurer in their favour, for twenty thousand dollars; for which the said State is to be accountable.

That on the application of Mr. [John] Mathews, in behalf of the committee at headquarters, a warrant issue on the treasurer in his favour, for forty thousand dollars, for which the said committee is to be accountable.

That on the application of R. Phillips, steward to the President of Congress, a warrant issue on the treasurer in his favour, for twelve thousand dollars, for the use of the President's household; and for which the said Richard Phillips is to be accountable.[1]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, JULY 15, 1780

A report of the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Mr. B[enjamin] Huntington, a delegate for the State of Connecticut, a warrant issue on the treasurer in his favour, for four thousand dollars, for which the said State is to be accountable.

[1] This report is in the *Papers of the Continental Congress,* No. 136, IV, folio 423.

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That on the application of Charles Pettit, assistant quarter master general, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, Q. M. G. for fifteen thousand dollars, for the support of the British prisoners and their guards, at Fort Frederick, in the State of Maryland; and for which the said Major General Greene, Q. M. G. is to be accountable.[1]

A report from the Board of War was read; Whereupon,

*Resolved*, That the Rev. Robert M'Murdie be appointed chaplain to the first Pensylvania brigade.

The committee, to whom was referred for revision the plan for conducting the quarter master's department, having executed the business, laid before Congress the plan, as revised, which was read and agreed to as follows:

Whereas Congress, on the 25 day of February last, resolved that the several states should be called on for certain supplies of beef, flour and other articles necessary for the ensuing campaign; and that the same should be collected and deposited or delivered at the risque of the respective states, at such places, within each State respectively, as the Commander in Chief should judge most convenient; and it being necessary to provide for the safe keeping and transportation of the stores which shall be so deposited, and to make a new regulation of the quarter master's department,

*Resolved*, That there be one quarter master general and one assistant quarter master general, appointed by Congress, and one deputy quarter master ~~general~~ for the main army, and one for each separate army, to be appointed by the quarter master general:

That the quarter master general appoint one deputy for each State, if he shall judge so many to be necessary, and

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 425.

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the same be approved by the Board of War; the person appointed to be approved of by the supreme executive of the State in which he is to be employed:

That each deputy, whether appointed for one State or more, shall appoint as many assistants as the service may necessarily require, and the quarter master general shall approve; and a return of such appointments shall be immediately made to the Board of War by the quarter master general:

That all store-keepers, contractors, clerks, conductors, artificers and labourers, of whatever denomination, who may be found necessary for the well conducting the public business, be appointed by the deputies in their respective districts; and that they employ them in such numbers, for such time, and at such places, as the service may require, and on such conditions as ~~they can be agreed with, which~~ shall ~~appear to~~ be most for the benefit of the public: nevertheless, if they are agreed with or continue in service for any longer time than two months, the conditions are to be approved by the quarter master general:

That the duty of a deputy quarter master for a State shall be, to provide the means of transportation in such State for all public property, agreeably to the orders he may receive from the Commander in Chief, the Board of War, the quarter master general, or the officer commanding in the State; to provide such store houses ~~either by hire, purchase or building~~ as may be necessary for the preservation of the public property, ~~to fix at those storehouses~~ and to appoint suitable store-keepers, properly instructed, to account, in the best manner the nature of the business will admit, agreeably to such plans as ~~they may receive from~~ the quarter master general may prescribe for all articles received, whether provided by the State in the State, or received from another State, taking care always to note deficiencies, and to reject

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such as are deficient in quality, whether provided by the State, or in any other manner within the State; but if the parties are dissatisfied, the store-keeper, and the person or persons so tendering the goods, shall each nominate three of the most reputable freeholders in the vicinity of the place where the goods are to be delivered, the store-keeper to appoint one of the three nominated by the person or persons offering the goods, and he or they, one of those named by the store-keeper; and if the two first cannot agree, a third is to be chosen by lot out of the remaining four, as an umpire; the arbitrators to be on oath, and copies of their award to be delivered in writing to the parties, which shall be binding and conclusive ~~and to issue the same agreeable to orders they may receive either in the line or staff for such public purposes as the service may require;~~ to keep proper registers of all persons, teams, pack-horses, vessels and craft, employed in the department, noting the manner and conditions on which they serve, and whether the teams, pack-horses, vessels or craft, are private or public property; to execute all orders, either for purchases or other purposes, which he may receive from the Commander in Chief, the Board of War, the quarter master general, or the commanding officer in the State; ~~appoint and~~ to pay all officers in the different parts of the State who shall be necessary to execute the business of the department, and who have been approved as aforesaid; to give such instructions, with respect to the management of the business, as shall appear necessary to have it conducted with the greatest œconomy and order, and at the same time with that despatch which the service may require; to apply to the assistant quarter master general ~~residing near Congress~~ for such sums of money as the service may require, and to distribute the same in such proportions as will best answer the purpose; to visit all the places of business of those serving under him, as often as

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his other duties will admit; and see whether they execute their duty agreeably to the instructions they receive; to inspect their accounts, books of receipts and issues, and to correct what is amiss; to collect and render his accounts ~~of purchases~~ of expenditures and returns of public property and persons employed in the department every ~~two~~ three months; and to make return to the assistant quarter master general of all issues that have been made, mentioning the articles, quantity or number of each, on whose application or order issued, and to whom delivered; to see that all stores provided in one State to be forwarded to another, be carefully inspected, that the quantity and quality is agreeable to the order given before they are sent forward; to confine all the contracts or bargains of the contractors and agents of every denomination, within the State to which they belong, to prevent one contractor interfering with another; to make such provision for wintering or recruiting public horses, as may be necessary for the convenience and support of the army: and generally to do and perform every thing necessary to promote the service.

That the duty of the assistant quarter master general shall be, to reside near Congress; to frame plans for keeping accounts in the department, and to accommodate them to the nature of the business in the best possible manner for preserving regularity; and after the quarter master general shall approve thereof, to transmit them to the deputies in the several states as a rule for *their* stating and keeping their accounts, to be by them communicated to all their under agents; to receive from the army and the districts, the accounts and vouchers arising therein to the first day of December, and to lay them before the chamber of accounts for settlement by the first day of January; to apply to the Board of Treasury for such sums of money as the quarter master general shall direct, and distribute the same as the several branches of

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the department may require ~~and the quarter master general may direct;~~ to make such remarks and give such directions to the deputies in the several states as shall be found necessary for saving expence or preserving order in the business; to receive from the respective deputies, at the end of every ~~two~~ three months, returns of all persons employed, how, where, and on what conditions, and returns of all public property belonging to the department, and where deposited, made out in four distinct columns, one containing what has not been issued, another what is in use, the third what has been used and wants repairing, and the fourth what ~~articles are~~ is unfit for further service and still of some value; these returns to be made agreeable to such forms as shall be furnished by the quarter master general.

That the returns be made to the assistant quarter master general in March, June, September, and December; and that the general returns be furnished to the quarter master general as soon after as possible.

That the quarter master general appoint one commissary of forage for the main army, and so many deputies, ~~commissaries of forage and~~ forage masters, clerks, and labourers, as the service may require, and the Commander in Chief shall approve of; a deputy commissary of forage, and as many clerks and labourers for each separate army, as the service may require, and the commanding officer of such separate army shall approve of:

That the duty of a commissary of forage and of a deputy commissary of forage with a separate army, shall be, to provide forage and pasture in the neighbourhood of camp, by purchase or otherwise, as the case may require, and to distribute the same; to correspond with the deputy quarter masters, in the states in or near which the army may be, and make seasonable requisitions from them for such quantities of forage as the service may require, and to receive and

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issue the same to the army, in such manner and proportion, as is hereafter directed.

That the wages of people employed in the forage branch, as well as the price of forage purchased, and hire of pasture as aforesaid, and all other contingent expences of the department, be directed for payment to the quarter master general's pay office; that the commissary of forage, or his deputy, certify the sums due, and that the same have been fully examined; that such orders or certificates for payment be presented to the auditor of accounts in the quarter master general's office, and pass from him to the pay office: but when, from sudden movements of the army, the certificates for pasturage or forage furnished in the vicinity thereof, signed by the commissary of forage, or his deputy, cannot be brought for payment to the quarter master general's pay office in camp, without great inconvenience to the possessors of the same, such certificates shall be paid by the deputy quarter master of the State in which the same shall have been furnished, the sums and articles furnished being inserted in words at full length; and to prevent frauds, the commissary of forage, or deputy with a separate army, shall furnish the deputy quarter master of the State, in which the army may serve, with a list of the persons employed in the forage branch, in their own hand writing, and the printed form of certificates generally made use of by them:

That the commissary of forage ~~master-general~~, or deputy with a separate army, fix upon such places for receiving and issuing forage at the army, as shall best accommodate the service; and that written instructions be given to the keeper of the magazine of forage, how and to whose order to issue the same; that proper entries be made in a book, to be kept for the purpose of all receipts and issues, and that the orders be numbered and filed to agree with the entries in the book.

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That the ~~assistant~~ forage masters, and keepers of the army magazines shall make weekly returns to the commissary of forage ~~master general~~, or to the deputy with a separate army, of all forage received and issued, and of all pasturage made use of, and certificates given for the same; and that the commissary of forage ~~master general~~, or deputy with a separate army, shall, at the end of every four weeks, make returns to the quarter master general, or deputy quarter master with a separate army, of all the forage received at the magazines or collected from the country, and of the issues of the same; also of all certificates for pasturage or forage which have, within that time, been given for settlement at the quarter master general's pay office.

That forage for the waggon horses be issued on the returns of the respective conductors, countersigned by the waggon master ~~general~~ or his deputy; and for other horses on the orders of the officers intitled to receive forage by virtue of these regulations: and if any officer in the forage department shall issue forage in any other manner, or in larger proportions than is prescribed in these regulations, he shall be charged with and pay the full value of such extra forage, and be dismissed from the service.

That there be no deputy commissary of forage or forage master appointed, except for the main army, or a separate army; and that all forage which it may hereafter be necessary to issue at any post, be issued by the deputy quarter master of the State, his assistants or store-keepers:

That the deputy quarter master of the State shall appoint the magazines or places at which forage shall be issued, and none shall be issued at any other; nor shall any forage be issued at such post to any officer, unless he certifies upon honor, on his return, that he is not on furlough nor absent from the army on his private business:

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That a ration of forage shall consist of fourteen pounds of hay and eight quarts of oats for a saddle horse, and sixteen pounds of hay and twelve quarts of oats, or other short forage equivalent, for a draught horse, per day: that in cases where either of the above articles cannot be furnished, a double quantity of the other shall be considered as a complete ration.

And whereas the great number of issuing posts established in these states have, by experience, been found very burthensome and expensive.

*Resolved*, That from and after the ~~twentieth~~ first day of ~~July~~ August next, no post, without troops there stationed, and in the continental service, shall be continued or established in any State at the expence of the United States, nor public provisions or forage issued thereat ~~(the magazines before mentioned excepted)~~, but by order of the Board of War, the Commander in Chief, or commanding officer of a seperate army; and such order shall be given only in cases when, in their opinion, the obtaining provision or forage in any other way would be impracticable ~~or attended with greater public expense and inconvenience than by such issues.~~

And whereas it may sometimes happen that there is a necessity to detain hired teams, the owners of which were to find their own forage and provisions, beyond the time for which such teams were engaged, and who, if their own forage and provisions are expended, must have recourse to the public magazines:

*Resolved*, That such teams, and their conductors and drivers, so detained and become destitute of forage and provisions, shall be supplied out of the public magazines, upon the written order of the officer by whose order they shall have been detained; and the wagon master ~~general,~~ or his deputy or other person, under whose direction such teams shall be employed, before he signs their discharge, shall cause

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to be endorsed thereon, by the forage master and commissary, or store-keeper (as the case may be) the number of rations of forage and provisions furnished to such teams and their conductors and drivers, that the same may be deducted out of the wages due to the owners of such hired teams: that, excepting in the cases above mentioned, no provisions or forage be drawn by any person not actually serving with the army, or some detachment thereof:

That there be one waggon master ~~general~~ with the main army, and as many deputies, clerks, ~~waggon-masters~~ and ~~sub~~-conductors, as the service may require, and the Commander in Chief shall approve of; that there be a deputy for each seperate army, with as many assistants, clerks ~~waggon-masters~~ and ~~sub~~conductors, as the same may require, and the commanding officer shall approve of:

That the waggon master ~~general,~~ and deputy with a seperate army, shall keep an exact register of all persons and teams employed with the army in his department, distinguishing by proper columns the private and public property; that he keep exact registers of all pay rolls, noting the time and conditions of payment; that, in every pay roll, the name and ~~character~~ employment of every person be inserted at full length; and that the roll be signed by the waggon master, ~~and countersigned by the waggon-master general~~ or deputy with a seperate army, and then pass to the auditor of accounts in the office of the quarter master ~~general's office~~ general, or deputy in a separate army, and from him to the respective pay office:

That the waggon master ~~general~~, or deputy in a seperate army, give all the orders on the horse yard for horses to equip the teams, and orders on the store for harness; and every ~~waggon-master~~ deputy or assistant, receiving horses or harness upon such order, shall be charged with the same in his

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books, and be made to account, by his weekly or monthly returns, for the horses or harness delivered to him.

That the waggon master ~~general~~ shall make monthly returns to the quarter master general, or oftener if required, of all persons, teams, and horses, employed in his department, noting where and with whom serving, adding a column of casualties, in which to insert the deaths, stolen or strayed horses, and also the harness that may be lost, and generally to make such regulations for the government of the waggoners as shall be best calculated to preserve public property, and to give them as a standing order to all the waggon masters, the quarter master general approving thereof: that the like duties be performed by the deputy waggon master ~~general~~ of a seperate army:

That the quarter master ~~general~~ have liberty, with the approbation of the Commander in Chief, or commander of a seperate army, to take such and so many officers from the line of the army, to serve in his department, as he may find necessary, and as are willing to engage in the business:

That the quarter master general establish a horse yard with the army, for the purpose of receiving and issuing all public horses; and that the person appointed deliver none from the yard but by the order of the Commander in Chief, the quarter master general, or his deputy, or the waggon master ~~general~~:

The same regulations to take place with a seperate army:

That an exact register be kept of the receipt and delivery of all horses, from whom received, to whom delivered, and by whose order ~~to keep an exact register~~; and also of all horses that may die, be stolen, or stray from the yard, or that are ordered to be sold by the quarter master general, as unfit for farther service; and that returns of all transactions of the yard be made to the quarter master general's office

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monthly, and as much oftener as the quarter master general may direct.

Whereas it is necessary that every army should be limited in the article of baggage; this regulation being essential, as well to save expence as to prevent the army from being embarrassed in its operations; and that every officer should have only such a quantity of baggage as is essential to his comfort and appearance:

*Resolved,* That the following proportion of waggons and bat-horses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief, or commanding officer of a seperate army, each of whom to be allowed for themselves so many baggage waggons and bat-horses as they may think necessary, to wit:

| | Covered 4 horse waggon. | Open 4 horse waggon. | 2 horse waggon. | Bat-horses. |
|---|---|---|---|---|
| Major general and family, | 1 | | | |
| Brigadier general and family, | 1 | | | |
| Colonel, lieutenant colonel and major, | 1 | | | |
| Captains and subalterns of a regiment, for their baggage, | 1 | | | |
| Surgeon, pay master, adjutant and quarter master, (regimental staff,) | 1 | | | |
| Brigade quartermaster, | | | | 1 |
| For the tents of a regiment, for every 75 men, but this to be varied according to the weight of the tents and state of the roads, | | 1 | | |
| Quartermaster general, for his baggage according to his rank,—his books, papers, &c. as many as he shall find necessary, | | | | |
| Deputy quarter master ~~general~~ with the main army, or with a seperate army, for his baggage | 1 | | | |
| And for his books, papers, &c. as they may demand, | | | | |
| ~~Assistant deputy quarter master general,~~ | | | | ~~1~~ |
| Commissary of forage master general with the main army, | 1 | | | |
| Deputy commissary of forage ~~master general~~ with a seperate army, | | | 1 | or 2 |
| ~~Assistant deputy forage masters with the main army, each,~~ | | | | ~~1~~ |
| Deputy commissary of forage ~~master general~~ with a seperate army | | | 1 | or 2 |
| ~~Assistant deputy forage masters, each~~ | | | | ~~1~~ |
| Wagon master ~~general~~ and clerks, | 1 | | | |
| Deputy wagon masters ~~general~~ with the main army, each | | | | 1 |



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| | Covered 4 horse waggon. | Open 4 horse waggon. | 2 horse waggon. | Bat-horses. |
|---|---|---|---|---|
| Deputy wagon master ~~general~~ with a seperate army, clerk and assistant, | | | 1 | or 2 |
| Inspector general, for his baggage according to his rank, and for his papers, &c. according as the service may require, or the Commander in Chief may direct, | | | | |
| Sub inspector, | | | 1 | |
| Brigade inspector, | | | 1 | |
| Adjutant general and assistants, | 1 | | | |
| Deputy adjutant general with a seperate army, | | | 1 | |
| Judge advocate, ~~general,~~ | | | 1 | or 2 |
| Commissary ~~general~~ of prisoners, | | | 1 | or 2 |
| Deputy judge advocate with a seperate army, | | | 1 | or 2 |
| Deputy commissary ~~general~~ of prisoners with a seperate army, | | | 1 | or 2 |
| Provost marshal with his prisoners and guards, | | 1 | | |
| A commissary ~~general~~ and his deputy of purchases or issues, | 1 | | | |
| A deputy commissary ~~general~~ with a seperate army, | | | 1 | or 2 |
| Field commissary of military stores and his deputy with the main army, | | | 1 | or 2 |
| Deputy commissary of military stores with a seperate army, | | | 1 | or 2 |
| Auditors of the main army, for baggage, and for their books, papers, &c. ~~as the service may require,~~ | 1 | | | |
| Auditors for a seperate army, | 1 | | | |
| Deputy paymaster ~~general~~, either with the main army, or with a seperate army, ~~as the service may require,~~ | 1 | | | |
| Field post master, | | | 1 | or 2. |
| Express riders, | | | 1 | or 2 |

*Provided,* That if the number of waggons, stated as above, should prove insufficient, the quarter master general may occasionally furnish such additional carriage as the Commander in Chief, or commanding officer of a seperate army, or the Board of War, may direct.

Whereas the business of deputy quarter masters ~~general,~~ serving in the different states, may vary greatly one from another; and whereas that allowance which would be ample in some states ~~and for some persons would be totally inadequate in others as well from the difference there is in the genius of the people as from the different expence attending the duties of the office~~, would be inadequate in others:

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*Resolved,* That the quarter master general be authorised to fix the pay of each deputy to conduct the business of his department in the states, according to the duties they have to perform, and the expences they will be at in executing the same; so that the pay of no deputy exceed one hundred and thirty-four dollars per month, without provisions or forage, always having regard to the merit and services of the person appointed, and which shall be approved of by the Board of War:

That the pay of the assistant deputy quarter masters ~~general~~ be settled by the ~~assistant~~ deputy quarter master ~~general of the district~~ under whom they respectively serve, according to the duties they have to perform, and the expences they will be at in executing the same, so as the pay of no assistant deputy quarter master ~~general~~ exceed seventy-five dollars per month, without provisions or forage; always having regard to the merit and services of the person appointed, and which shall be approved of by the quarter-master general:

~~That the pay of the officers in the quartermaster general's department, be as follows, to wit:~~

| | ~~Dol. per an.~~ |
|---|---|
| ~~Quarter Master General~~ | ~~2000.~~ |
| ~~Assistant Quarter Master General~~ | ~~2000.~~ |
| ~~Deputy Quarter Master General~~ | ~~35.~~ |
| ~~Assistant Deputy Quarter Master General~~ | |
| ~~Brigade Quarter Master~~ | ~~20.~~ |
| ~~Forage Master General 2 Rations of provisions 1 for Servant~~ | ~~100. pr Mo~~ |
| ~~Deputy Forage master General 1 rat: 1 for servt~~ | ~~50.~~ |
| ~~Assistant Deputy Forage master General~~ | |
| ~~Forage Master not from the line~~ | ~~40.~~ |
| ~~If from the line~~ | ~~12.~~ |
| ~~Waggon Master General 2 Rat: 1 for servant~~ | ~~75.~~ |
| ~~Deputy Waggon Master General 1 R 1 serv.~~ | ~~50.~~ |
| ~~Waggon Conductor. 1 ration~~ | ~~40.~~ |
| ~~If from the army~~ | ~~12.~~ |
| ~~Sub Conductor~~ | |

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That the pay of the officers in the quarter master general's department, who are attached to the main or to a seperate army, and move with it, be as follows:

Quarter master general, in addition to his pay as an officer in the line, at the rate of ~~two thousand~~ one hundred and sixty-six dollars ~~in specie~~ per ~~annum~~ month ~~or an equivalent in other current money:~~

Assistant quarter master general, who is to reside near Congress, at the rate of ~~two thousand~~ one hundred and sixty-six dollars ~~aforesaid~~ per ~~annum~~ month:

Deputy quarter master ~~general~~, thirty-five dollars ~~as aforesaid~~ per month, in addition to his pay in the line:

Brigade quarter master, twenty dollars ~~as aforesaid~~ per month, in addition to his pay in the line:

Commissary of forage ~~master general~~, seventy-five dollars ~~as aforesaid~~ per month, and two rations of provisions ~~for himself~~ per day ~~and one for his servant~~:

Deputy commissary of forage ~~master general, fifty~~ forty dollars ~~as aforesaid~~ per month, and one ration of provisions per day ~~for himself and one for his servant~~.

~~Forage master not of the line of the army, fifty dollars as aforesaid per month with one ration of provisions per day~~:

Forage master ~~when of~~, in addition to his pay in the line of the army, ~~twelve~~ ten dollars ~~as aforesaid~~ per month:

Waggon master ~~general~~, sixty dollars ~~as aforesaid~~ per month, and two rations of provisions per day:

Deputy waggon master, forty-five dollars per month, and one ration of provisions per day:

Assistant waggon master in a seperate army, forty dollars per month, and one ration of provisions per day ~~and one for his servant:~~

Conductor of waggons, when not of the line of the army, ~~forty~~ thirty-five dollars ~~as aforesaid~~ per month, and one

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ration of provisions per day; when of the line of the army, twelve dollars ~~as aforesaid~~ per month, in addition to his pay in the line:

That the foregoing salaries be paid in specie, or other money equivalent.

Whereas, in order to prevent the unnecessary consumption of forage, it is requisite to determine what officers shall be ~~found~~ supplied with forage at the public expence, and to fix the quantity that shall be furnished to each:

*Resolved,* That in addition to the forage allowed for the waggon and bat-horses, by these regulations, there be issued to the Commander in Chief, and to the commanding officer of a seperate army, and to those of their suite, as many rations as the service shall require:

To a major general and family, ~~nine~~ seven; brigadier general and family, six; colonel of infantry or artillery, two; lieutenant colonel, two; major, two; chaplain, one; surgeon, one; pay master, one; adjutant, one; quarter master, one; brigade quarter master, one; captain of engineers, one; quarter master general, as the service may require; deputy quarter master ~~general, if of the line~~ with the army, one; ~~assistant deputy quarter master general, one;~~ commissary of forage ~~master general~~, two; deputy commissary of forage ~~master general~~, one; ~~assistant deputy forage master general, one; brigade forage master, one;~~ waggon master ~~general~~ and clerks, ~~four~~ three; deputy waggon master ~~general~~, ~~two~~ one; deputy waggon master with a seperate army, two; assistant waggon master with a seperate army, one; inspector general, agreeably to his rank; ~~brigade~~ sub-inspector, in addition to what he draws in the line, one; adjutant general and ~~gentlemen of~~ his family, including what he may draw in the line, ~~nine~~ seven; deputy adjutant general for a seperate army ~~in addition to what he draws in the line~~, three, including what he may draw in the line; commissary ~~general~~ of prisoners,

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two; deputy commissary ~~general~~ of prisoners with a seperate army, two; deputy serving with the main army, one; judge advocate ~~general~~, two; provost marshal, one; commissary general of purchases, four; ~~deputy~~ commissary general of issues, two; brigade commissary, one; field commissary of military stores, two; deputy field commissary of military stores, one; deputy pay master ~~general~~, one; auditors for the army, each, one:

| | |
|---|---|
| ~~Director General of the Hospitals~~ | ~~6~~ |
| ~~Assistant Director General~~ | ~~4~~ |
| ~~Deputy Director General~~ | ~~4~~ |
| ~~Purveyor General~~ | ~~4~~ |
| ~~Surgeon and Physician General~~ | ~~3~~ |
| ~~Physicions or surgions of Hospitals~~ | ~~2~~ |
| ~~Commissary of the Hospitals~~ | ~~1~~ |

That any of the said officers entitled to forage, who shall keep their horses at their own expence, when in camp, or when ~~necessarily~~ absent from the army on public service, shall be allowed as much daily for the forage so found as shall be certified ~~monthly~~ by the deputy quarter master ~~general~~ of the State in which the army may be, to be the net current cost of a ration of forage, ~~the~~ every officer claiming such payment, producing a certificate from the forage master from whom he usually draws ~~forage~~, that he had not drawn forage from him during the time charged for, and certifying upon honor that he hath drawn no public forage whatever during the said time ~~for the keeping his horse to the amount charged~~; on which a certificate shall pass from the commissary of forage ~~master general~~, or deputy, to the quarter master general's auditor, for settlement of the same, not exceeding the current net cost of the ration as settled by the quarter master ~~general~~ of the ~~district~~ State: Provided, that no officer on furlough shall be entitled to draw forage or pay for the same, for any time he is absent beyond the term allowed him by his furlough.

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~~And, whereas, an army cannot be subsisted, or the operations of War carried on, without an ample and certain supply of forage, which must, in a great part, be furnished in pasturage and Hay from the vicinity of the Army, Therefore,~~

~~*Resolved*, that it be recommended to the Legislatures of the different States in which the army may serve, to make provisions for furnishing the horses of the army, or detachments thereof, with a sufficient supply of pasturage, and with such Hay or other forage as can be spared from the Country in the vicinity of the Army, or detachments thereof; the same to be settled and paid for by the Quarter master General with the Army, or by the Deputy in the State.~~

That the officers of cavalry be allowed to draw forage or pay for the same, under the like regulations as other officers, for the following number of horses, provided they actually keep the same: a colonel ~~four~~ three; lieutenant colonel ~~three~~ two; major, ~~three~~ two; captain two; lieutenant one; cornet one; pay master, quarter master, and adjutant, exclusive of allowance as officers in the line, each one; surgeon one:

That all certificates for forage supplied to detached parties of cavalry, serving on the lines, or on marches, where public forage cannot be drawn, shall be signed by the forage master or quarter master of the regiment or corps, or by a commissioned officer, if any be with the party, if not, by a non-commissioned officer, mentioning the quantity and species of forage, the number of horses, the time for which the same was drawn; and the price shall be inserted in words, at full length, and the title of the officer and regiment or corps to which he belongs, shall be added to his name:

That every officer who shall give such certificates, shall make a return of the same to the officer commanding the regiment to which he belongs, who shall direct his forage

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master, or quarter master, at the end of each month, to make a return of such certificates, to whom and where given, and to what amount, to the commissary of forage ~~master general~~, or to the deputy with a seperate army, and to the deputy quarter master ~~general~~ of the State in which such supplies shall have been obtained, which certificates shall be passed by the commissary of forage ~~master general~~ or deputy with a seperate army, either to the quarter master general's pay office for settlement in camp, or to the deputy quarter master ~~general~~ of the State for payment.

That all officers commanding detachments of cavalry shall make returns of the forage they may draw, with the number of horses, and the time for which the same was drawn, to the officer commanding the regiment or corps to which they belong, which the commanding officer shall deliver to the forage master or quarter master of the regiment or corps, who shall make returns of all the forage received and issued to the regiment or corps, at the end of each month, to the commissary of forage ~~master general~~ or deputy with a seperate army:

~~That whenever forage or provision be furnished either with the army or in any of the states for the use of waggoners and teams employed in the public service and by contract to find their own provisions and forage that the same be endorsed upon their pay roll and to be deducted from the same before they are discharged from the service and it is recommended generally~~

That all the teams not serving with the army be contracted with to find their own provisions and forage, if possible, and to be paid by the ~~trip or~~ hundred weight per mile:

That no military or staff officer shall own, or in any manner be interested in any boat, shallop, waggon, or other carriage, horse or team, employed on hire or contract, in the service of the United States, on pain of forfeiting a sum equal to that which shall have become due for the service of such boat,

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shallop, waggon, or other carriage, horse or team, during the whole time they shall have been so employed; and for a second offence such officer shall be dismissed from the service:

That the quarter master general take such measures for providing camp equipage, and make such regulations for distributing the same, as he shall find necessary, and the Commander in Chief or the Board of War shall approve; and that he also take measures for engaging such artificers as the service, from time to time, may require, in addition to the regimented artificers, and as shall be approved by the Commander in Chief; and that he generally make such arrangements ~~and appointments~~ as shall be necessary to manage the business of the quarter master's department, either with the main army, a seperate army, or detachment:

That the quarter master general or deputy with a seperate army, furnish such horses, for special purposes, and on particular applications, as he shall think the good of the service may require; and whenever any doubt arises, that the matter be referred to the Commander in Chief, or the commanding officer of a seperate army, for their instructions:

That no purchases of horses or any other articles with the main army, or in any of the states for the use of the army, in the quarter master general's department, be made, unless by order of the quarter master general, ~~or one of his assistants~~ or by a deputy quarter master ~~general~~ with a seperate army or garrison:

That the quarter master general make returns to the Commander in Chief and Board of War, as soon as possible after they are delivered in to him by the assistant quarter master general, of all officers and other persons employed, and stores belonging to the department, and that a deputy serving with a seperate army, or with a garrison, make returns quarterly, in the months afore-mentioned, agreeably to the direc-

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tions given to a deputy of a State, which the quarter master general shall include in his general returns:

That all officers in the quarter master general's department, of whatever denomination, shall take the oaths of allegiance and the oath of office prescribed by Congress, before they enter on business:

That, with the returns before directed to be made, of the name and station of each person to be appointed in the quarter master's department, there be also at the same time certificates returned therewith, of ~~all such~~ their having respectively taken the oaths and qualifications ~~directed by resolution of Congress of the~~ afore-mentioned:

That in settling the accounts of officers in the quarter master's department, to be appointed by this act of Congress, no pay or allowance whatever be granted to any person employed in that department, whose name and employment, together with a certificate of his taking the aforesaid oaths, ~~which by the aforementioned resolutions is directed to take the same~~ shall not be duly returned in manner above directed;

That the Board of War shall have power to suspend and dismiss all supernumerary officers that may be ~~hereafter be~~ employed in the quarter master general's department.

*Resolved*, That Major General Greene be continued in the office of quarter master general; that he be, and he is hereby directed to make the appointments and arrangements in the quarter master's department, agreeably to the foregoing resolutions, as soon as possible.

~~And that from and after the 20th day of August next all former resolutions for regulating the Quarter Master's department, and appointments under them, be annulled and vacated.~~

*Provided*, That nothing contained in the foregoing resolutions shall be construed to annul the resolution of the 9th

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day of July, 1779, authorizing the executive authority of the respective states to correct abuses in the staff departments, or to vacate any appointment made, or that may be made by Major General Gates for the southern army, agreeably to the resolution of the 14th day of June last.

*Resolved*, That it be, and it is hereby recommended to the legislatures of the several states in which the army may serve, to make provision for furnishing the horses of the army, or detachments thereof, with a sufficient supply of pasturage, and with such hay or forage as can be spared from the country in the vicinity of the army or detachment thereof; the same to be settled and paid for by the quarter master general with the army, or by the deputy in the State.[1]

A report of the Board of War was read, for an advance of money for the purchase of horse furniture for Baylor's and White's regiments of light dragoons:

WAR OFFICE, *July 14, 1780*

SIR,

In consequence of the resolution of the 6th June last directing such arms and accoutrements as were wanted for Baylor's and White's Regiments of Cavalry to be sent forward. The Board immediately gave the necessary orders for carrying into execution the intentions of Congress, but Col Finnie to whom the providing a part of the accoutrements was intrusted, has informed the Board he could not comply with their requisitions unless he was furnished with a sufficient sum of money for the purpose. He was directed to procure two hundred saddles, bridles, and accoutrements complete which will cost about £135,000. The Board therefore beg leave to report

That a warrant issue in favor of the paymaster of the Board of War and Ordnance, for three hundred and sixty thousand dollars, to be applied to the purpose of procuring accoutrements for the cavalry of the Southern Army.[2]

*Ordered*, That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock on Monday.

[1] This report is in the *Papers of the Continental Congress*, No. 22, folio 193.

[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 436.

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**MONDAY, JULY 17, 1780**

Mr. [Isaac] Motte, a delegate for the State of South Carolina, attended and produced the credentials of his appointment, which were read, as follows:

By his Excellency John Rutledge Esq^r
Governor and Commander in Chief of South Carolina
To Isaac Motte and Nicholas Eveleigh Esq^rs

Whereas, in and by an ordinance of the General Assembly of this State, intitled "An ordinance for the better security and defence of this State during the recess of the General Assembly" it is ordained, that the Governor or Commander in Chief, for the Time being, with the Advice and Consent of the Privy Council, shall and may do all such Matters and Things, as may be judged expedient and necessary, to secure the Liberty, Safety and Happiness of this State; and whereas, it appears expedient and necessary, for that purpose, that this State should be fully represented in the Congress of the United States of America, I do, therefore, by virture of the power and authority in me vested in and by the said ordinance, with the Advice and Consent of the Privy Council, hereby constitute and appoint you the said Isaac Motte and Nicholas Eveleigh, to be Delegates of this State to the Congress of the United States of America, with full power and authority, to represent this State, (jointly and severally) in as full and ample Manner, to all Intents and purposes, as any of the other delegates thereof may or can, in the said Congress. This appointment to continue untill ten days after the next Meeting and Sitting of the General Assembly of this State, unless it shall be sooner revoked, by me, or the Governor and Commander in Chief of the said State, for the Time being, in which Case, it shall cease and expire, upon such Revocation.

Given under my Hand and Seal at Camden in S^o. Carolina this twenty-seventh day of May Anno Dom^i. 1780

J. RUTLEDGE [SEAL.][1]

A letter, of 14, from General Washington was read, announcing the arrival of the French fleet at Rhode Island;

[1] The original is in the *Papers of the Continental Congress*, South Carolina, *Credentials of Delegates*.

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also enclosing a plan for conducting the business of the inspector general and the officers in that department.

*Ordered,* That the consideration of the said plan be assigned for Thursday next.

A letter, of 10, from General Washington was read:

*Ordered,* That it be referred to a committee of three.

The members chosen, Mr. [Thomas] Bee, Mr. [James] Lovell and Mr. [John Morin] Scott.

A letter, of 13, from the committee at headquarters was read, enclosing a copy of General Washington's letter to them of the same date, and of their circular letter to the states from New Hampshire to Maryland, inclusive.

A letter, of 4, from the council of the State of Massachusetts Bay; and one, of the 8, from Governor Greene of the State of Rhode Island, were read, enclosing acts passed by the legislatures of the respective states, in pursuance of recommendations of Congress.[1]

A letter, of this day, from B. Arnold was read:

*Ordered,* That it be referred to the Board of Treasury.

The Committee of Commerce laid before Congress a letter, of 21 March, from Mr. Comyn, at Paris:

*Ordered,* That it be referred to the Committee of Foreign Affairs.

A letter, of this day, from Captain Stith, of Baylor's dragoons, was read:[2]

*Ordered,* That it be referred to the Board of War.

[1] Washington's letter of the 14th is in the *Papers of the Continental Congress*, No. 152, IX, folio 5, the enclosure being on folio 9; the letter is printed in the *Writings of Washington* (Ford), VIII, 343. His letter of the 10th is in No. 152, VIII, folio 637; it is printed in the *Writings of Washington* (Ford), VIII, 338. The letter from headquarters is in No. 39, I, folio 116; a transcript of the letter and of the enclosures is in Committee Book, 1780, Proceedings of the Committee appointed the 13th of April, 1780, folios 30, 216, and 69. The Massachusetts letter is in No. 65, I, folio 452; the Rhode Island letter is in No. 64, folio 474.

[2] Arnold's letter is in the *Papers of the Continental Congress*, No. 162, folio 205; that of Stith is in No. 78, XX, folio 525.

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A memorial from William Alricks was read:[1]

*Ordered*, That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, JULY 18, 1780

A letter, of 15, from General Washington was read.

Another letter, of 15, from General Washington was read, enclosing the proceedings and sentence of a general court martial on the trial of Doctor W. Shippen, Junr, director general of the military hospitals:

*Ordered*, That the consideration thereof be assigned for to morrow.

Another letter, of 15, from General Washington was read, respecting the hospital department:

*Ordered*, That it be referred to the Medical Committee.

A letter, of 11, from President Rodney, of the State of Delaware;

And three letters, all of the 10, from Governor Trumbull, of Connecticut, were read, enclosing an account of the proceedings and acts passed by those states, respectively, in pursuance of recommendations of Congress, agreeably to the requisition of the 17 June last.

A letter, of this day, from James Jay was read:[2]

*Ordered*, That it be referred to the Board of Treasury.

A letter, of the 17, from Gouverneur Morris was read, requesting that his name may be withdrawn from the nomination for secretary to the Minister Plenipotentiary at the Court of France.

[1] This memorial, dated July 12, 1780, is in the *Papers of the Continental Congress*, No. 41, I, folio 55.

[2] Washington's first letter of the 15th is in the *Papers of the Continental Congress*, No. 152, IX, folio 21; the second of the same date on folio 25; the third of the same date on folio 19; the Delaware letter is in No. 70, folio 749; the Connecticut letters are in No. 66, II, folios 63–71; Jay's letter is in No. 78, XIII, folio 171.

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Mr. [James] Lovell requested that his name also may be withdrawn from the same nomination, both which requests were agreed to.

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of William Palfrey, paymaster general, the following warrants issue in his favour:

One on William Armisted, commissioner of the continental loan office for the commonwealth of Virginia, for forty six thousand nine hundred and eighty six dollars and 52/72 of a dollar; and

One on George Brook, treasurer of the commonwealth aforesaid, for one hundred and fifty thousand dollars (part of the monies raised in the said commonwealth for the use of the United States) to be applied in the department aforesaid, to the use of the southern army; and for which the said William Palfrey is to be accountable.

*Resolved,* That two bills of exchange of two hundred and twenty five dollars each, drawn on the honble. John Jay, Esquire, amounting to four hundred and fifty dollars, be advanced to Lieutenant Colonel Deriks, on account of his pay, in lieu of the bill for four hundred and forty four dollars on the honble. Henry Laurens, ordered to be advanced to the said Lieutenant Colonel Deriks by the resolution of the 12 instant.

The Board of Treasury, to whom was referred the extract from Mr. [Philip] Schuyler's letter, of the 6th, report their opinion,

That it is inexpedient to permit the commissaries of issues to furnish the retained rations, in lieu of the subsistance money allowed to the officers of the line, but that the paymaster general be enabled to pay the subsistance money aforesaid.

*Resolved,* That Congress agree to the said report.

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*Ordered*, That the consideration of so much of the report of the Board of Treasury, as relates to the letter, of 8th, from Mr. Laurens, which was referred to them, be assigned for Thursday next.

On motion of Mr. [Thomas] McKean, seconded by Mr. [James] Lovell,

*Resolved*, That the resolution or act of Congress, of the tenth day of May last, respecting loan office certificates destroyed through accident, be extended to loan office certificates which have been, or shall be thrown overboard of any vessel, to avoid capture by the enemy.

The delegates of the states of New Hampshire, Massachusetts bay, Rhode Island and Connecticut, to whom was referred the letter, of 10th, from General Washington, with an estimate of tents and other camp equipage wanted by the army, brought in a report, which was taken into consideration; and thereupon,

*Resolved*, That a copy of General Washington's letter, of the 10th, and the estimate of tents and other camp equipage wanted for the army, accompanying the same, be transmitted to the supreme executive powers of the states of New Hampshire, Massachusetts Bay, Rhode Island and Connecticut, and that they be requested to take such measures as they may judge will be most speedy and effectual for procuring within the said states respectively, the portions mentioned in the estimate, or as great a part thereof as may be had, especially of the most essential kinds.

*Resolved*, That the same assurances which were given to the subscribers to a bank in Pensylvania by resolutions of Congress, of June 22d last past, be, and hereby are given for the reimbursement of the expences which shall be incurred by a compliance with the foregoing resolution.[1]

[1] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 345.

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Congress took into consideration the report of the committee, to whom were referred the petitions of Thomas Jones, George Crothers and others, artificers in the service of the United States; and thereupon,

The Committee to whom were referred the petitions of Thos. Jones, George Crothers and others, artificers in the service of the United States.

Beg leave to Report,

That upon examining the inlistments of the said Petitioners do find the same in substance to be "during the present war, or for three years unless sooner discharged by proper authority." That the receipts given for their bounty upon such inlistments are usually in substance for "The bounty ordered by Congress to be paid to non commissioned officers and privates who inlist during the continuance of the present war." That the Resolution of Congress directing inlistments for three years as far as it respects the bounty is in the words following.

"*Resolved* that all non commissioned officers and soldiers who do not incline to engage their service during the continuance of the present war and shall inlist to serve three years unless sooner discharged by Congress, shall be entitled to and receive all such bounty and pay as are allowed to those who enlist during the continuance of the present war, except the one hundred acres of land, which land is to be granted to those only who inlist without such limitation of time."

Upon due consideration of the above matters your Committee are of opinion, that said Petitioners, *and all others whether artificers or soldiers in the line of the Army* who inlisted themselves in the manner above mentioned and have served the term of three years, ought immediately to be discharged, and cannot without manifest injustice be any longer detained in the public service, unless they have re-engaged in the same by receiving a new bounty or some other subsequent act; But inasmuch as the Petitioners and others in like circumstances are generally citizens of the State of Pennsylvania and are now serving either in their State line or corps of artificers, and were inlisted under the direction of the executive authority of that State and may at this time be considered as a part of their quota of troops—your Committee are of opinion that this business ought to be referred



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to the President and executive council of the said State of Pennsylvania, who appears to be under every possible advantage to know the true state of the inlistments in question, and under every inducement to do full justice to their own Citizens, Whereupon,

*Resolved,* That the before mentioned petitions be transmitted to his excellency the president and supreme executive council of Pensylvania, ~~who are hereby fully authorized and empowered to cause to be discharged as they in their opinion may judge entitled to the same,~~ to grant such relief as they shall judge just and reasonable to the petitioners and to all other non commissioned officers and privates ~~in the Pennsylvania line of the army whose inlistment in their general tenor or substance are to serve during the present war, or for three years unless sooner discharged by proper authority, and who have served three years agreeable to their inlistment,~~ of the corps of artificers in similar circumstances, who have been raised in the said State.

That said President and Council be requested to take effectual measures for compleating their full quota of troops that no diminution may long continue, by discharges given pursuant to the above resolution.[1]

[Adjourned to 10 o'Clock to Morrow.]

## WEDNESDAY, JULY 19, 1780

A letter, of 17th, from the supreme executive council of Pensylvania was read, with sundry papers enclosed:[2]

*Ordered,* That the same be referred to a committee of five:

The members chosen, Mr. [Samuel] Adams, Mr. [John] Henry, Mr. [Nathaniel] Folsom, Mr. [Abraham] Clark and Mr. J[oseph] Jones.

[1] This report, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 19, III, folio 293. It is indorsed by Charles Thomson: "Delivered July 10."

[2] This letter is in the *Papers of the Continental Congress*, No. 69, II, folio 189. The enclosures are on folio 205, 209, 213, 217, 221, 225, 227, 231, 235, 239, 243, 247, 252, 254.

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Mr. [John] Fell laid before Congress an extract of a letter from W. Denning, representing great waste and neglect of public provisions at sundry posts through which he passed in the State of New Jersey:

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Timothy] Matlack and Mr. [John] Fell.

A memorial of James Pyne, captain, and Charles McCarthy, lieutenant, was read:[1]

*Ordered,* That it be referred to the Board of Admiralty.

A report from the Board of War was read, enclosing a letter, of 12, from Moore Furman, D. Q. M. G.[2]

*Ordered,* That the same be referred to a committee of three:

The members chosen, Mr. [Roger] Sherman, Mr. [Abraham] Clark and Mr. [Ezekiel] Cornell.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR, *July 15, 1780*

Present Mr. Peters, Col. Grayson, Genl. Ward

The Board having considered the memorials of Lieut: Beaulieu and Lt: La Clause of the late Count Pulaski's Corps are of opinion that each of those gentlemen should receive the pay now due them, from the paymaster general, which the Board will order. In addition to which they beg leave to report

*Resolved,* That Lieutenant La Clause receive the brevet of captain in the army of the United States and that he be permitted to return to Europe.

Re-committed. That the sum of Dollars be granted to Monr. La Clause to enable him to prosecute his voyage.[3]

*Ordered,* That the remainder be re-committed.

[1] This memorial, dated July 18, 1780, is in the *Papers of the Continental Congress,* No. 41, VIII, folio 132.

[2] This letter is in the *Papers of the Continental Congress,* No. 148, I, folio 145. A copy of Furman's letter is in No. 19, II, folio 365.

[3] This report is in the *Papers of the Continental Congress,* No. 147, IV, folio 441.

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A report from the Board of Treasury was read; Whereupon,

The Board having considered the report of the Board of War dated the 14th instant referred to them by Congress beg leave to report

*Ordered,* That a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the Board of War and Ordnance, for three hundred and sixty thousand dollars, to be applied to the purpose of procuring accoutrements for the cavalry in the southern army; and for which the aforesaid Joseph Carleton is to be accountable.

That on the application of Major General Greene, Q. M. G. accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in favour of Charles Pettit, assistant quarter master general, for four hundred and sixteen thousand dollars, to be applied to the purposes prescribed in the said estimate; and for which the aforesaid Major General Greene, quarter master general is to be accountable.[1]

That on the application of Charles Pettit, assistant quarter master general, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favor, on account of Major General Greene, Q. M. G. for four thousand and sixty six dollars, to be applied in the department aforesaid for the purposes mentioned in the said estimate; and for which the said Major General Greene, Q. M. G. is to be accountable.

That a warrant issue on the treasurer, in favour of William Palfrey, paymaster general, for five hundred thousand dollars, to be applied to the payment of subsistance money due to the officers of the line; and for which the aforesaid William Palfrey is to be accountable.[2]

A report from the Board of Admiralty was read; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 427.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 431.

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BOARD OF ADMIRALTY *July 18th 1780.*

The Board beg leave to inform the Honorable the Congress, that in consequence of an application made to them by the Honorable Henry Laurens Esqr they have ordered the *Mercury* Packet, belonging to the United States, to be got in readiness, to convey him to the United Provinces of the Netherlands.

As a quantity of Duck and Ship-Chandlery, which are very much wanted for the navy, and some small Duck, which may be wanted for tents for the army, may be imported in the *Mercury*, provided the Board are furnished with a Bill upon any one of your Commissioners for that purpose and as the profit upon such an importation would in some measure countervail the expence of about eighty thousand Dollars which will be incurred by sending the *Mercury* on the proposed voyage, the Board therefore request Congress to furnish them with a Bill of Exchange for £1000 Sterling, on the Honorable John Jay Esqr

Passed.

The Board further beg leave to move, that a warrant may issue in their favor on the Treasury for thirty thousand Dollars, to enable them to procure sea stores for the Passage of the Honorable Henry Laurens, Esqr

Passed.

It will be impossible for the Board to proceed in fitting the *Confederacy*, if the small sum of money they are possessed of is applied to any other purpose, and indeed unless they can be furnished very soon with a supply of cash that fine ship, which at this time might be usefully employed, must to the great grief of the Board and dishonor of these States continue to lie a useless expence at the Wharf.

FRAN: LEWIS, By order.[1]

*Resolved*, That a bill of exchange on the honble John Jay, for one thousand pounds sterling, be drawn by the Board of Treasury, in favour of the order of the Board of Admiralty, to enable them to purchase and import duck and ship chandlery.

*Ordered*, That a warrant issue on the treasurer, in favour of the Board of Admiralty, for thirty thousand dollars, to enable them to procure sea stores for the passage of the honble Henry Laurens.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 37, folio 431.

[2] This order was also entered in the manuscript Secret Journal, Foreign Affairs.

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According to the order of the day, Congress took into consideration the proceedings of the court martial on the trial of Doctor W. Shippen, director general of the hospitals, and some time being spent therein;

*Ordered,* That the farther consideration thereof be postponed till to morrow.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, JULY 20, 1780

A memorial of Beesly Joel, late captain in his Britannic Majesty's corps of King's or Rogers' rangers was read:[1]

*Ordered,* That it be referred to the Board of War.

A letter from the Board of Admiralty was read, enclosing a letter, of 19th, from Thomas Bradford, deputy commissary of prisoners.[2]

A letter, of 8, from Governor Clinton of the State of New York was read, accompanied with a summary of the proceedings of the executive and legislative authorities of the State of New York, and acts passed by the legislature of the said State, in pursuance of certain acts and resolutions of Congress, agreeably to the recommendation of the 17th June last.[3]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Charles Pettit, assistant quarter master general, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, quarter master general, for four hundred thousand dollars, for the purpose of discharging the contract between Edward

[1] This memorial, dated July 21, 1780, is in the *Papers of the Continental Congress,* No. 41, IV, folio 400.

[2] This letter and enclosure are in the *Papers of the Continental Congress,* No. 37, folios 435 and 437. The former is indorsed by Thomson: "To lie on table. Aug. 24, 1781, not to be acted upon."

[3] This letter is in the *Papers of the Continental Congress,* No. 67, II, folio 286.

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Wright, Junr. and Colonel Christian, for thirty thousand bushels of grain mentioned in the estimate aforesaid, and for the service of transportation; and for which sum the aforesaid Major General Greene, Q. M. G. is to be accountable.[1]

TREASURY OFFICE
*July 20th 1780*

The Board beg leave to represent that the warrant reported this day for four hundred thousand dollars in favor of Charles Pettit assistant quarter Master General is designed for the Department under the particular direction of Henry Hollingsworth Deputy Quarter Master General. That they consider it their duty to submit to Congress a report of the Commissioners of Accounts on certain accounts of the aforesaid Henry Hollingsworth wherein he stands charged with forgery and other frauds and abuses in the execution of his office.

That the said Henry Hollingsworth has appealed from the aforesaid Report to this Board who have been ready to hear said appeal which however has been deferred from time to time.

That the department under his particular direction is very important and requires constant and large supplies of money which are, have been and ought to be regularly furnished—from all which considerations, the Board beg leave to report the following Resolution—

*Resolved*, That Henry Hollingsworth, deputy quarter master general, be and hereby is suspended, ~~until his appeal from the report of the commissioners of accounts dated the 30th day of March last is duly heard and finally determined~~ and that some other person be appointed to transact the business of that department ~~in the mean time~~.[2]

*Resolved*, That the deposition of Robert Anderson, respecting the supposed forgery of his name to a receipt, offered as a voucher in support of the accounts of Henry Hollingsworth, be transmitted to the executive authority of the State of Maryland, in order that such proceedings may be had against the person or persons concerned therein as may

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 429.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 433.

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be agreeable to the laws of the State, at the expence of the United States.

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor Shippen; and having made some farther progress,

*Ordered*, That the farther consideration thereof be postponed till to morrow.

*Ordered*, That the report of the Board of Treasury on the letter from Mr. Laurens be re-committed.

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, JULY 21, 1780

A letter, of 20, from Mr. Du Simitière was read.[1]

The Medical Committee, to whom was referred the letter, of 15, from General Washington, brought in a report, which was read; Whereupon,

The Medical Committee to whom was referred the letter of the Commander in Chief of July 15th beg leave to report,

That they have conversed with D. Cochran and other gentlemen of the Hospital department by whom, and the many distressing accounts the Committee almost daily receive from every quarter, it appears that the department is in want of almost every article necessary for the comfortable sustenance of the sick and wounded soldiery. They are therefore clearly of opinion that a sum of two hundred thousand dollars is immediately necessary to put the department on such a footing, that the danger the General apprehends in his letter may be avoided. They beg leave to refer to the enclosed estimate and submit the following resolution.

*Ordered*, That a warrant issue on the treasurer, in favour of Jonathan Potts, purveyor of the hospitals in the middle district, for two hundred thousand dollars, for the use of the hospitals in the middle district, to be applied as the Medical Committee shall direct; the said purveyor to be accountable.[2]

[1] Thomson wrote in the margin: "24 July, he had leave to withdraw this."

[2] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress*, No. 19, VI, folio 287.

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The Medical Committee, to whom was referred the letter, of 15, from Doctor Brown, brought in a report, which was read; Whereupon,

The Medical Committee to whom D. Will. Brown's letter of July 15th was referred, beg leave to report:

That they have conversed with D. Brown and find that his circumstances will no longer permit his continuance in the service, and as it appears to them that he has been a faithful and diligent officer they submit the following Resolution.

*Resolved,* That Congress entertain a high opinion of the abilities, integrity and past services of Doctor William Brown, physician general, but as his present circumstances will no longer permit his continuance in the service, his resignation be accepted.[1]

The committee, to whom was referred the extract of a letter from W. Denning, brought in a report, which was read:

*Ordered,* That the consideration of the said report be assigned for Tuesday next.

*Ordered,* That a copy of the said extract be transmitted to the Board of War to take order.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE, *July 20, 1780.*

The Board having considered the letter from Benedict Arnold dated July 17, 1780, referred to them by Congress, report.

*Ordered,* That the sum of twenty five thousand dollars be advanced to Major General Arnold, on account of his pay; and for which he is to be accountable.

That on the application of Charles Pettit, assistant quarter master general, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, quartermaster

[1] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress,* No. 19, I, folio 423.

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general, for one hundred thousand dollars, to be applied in the department aforesaid to the purposes mentioned in the said estimate; and for which the said Major General Greene, Q. M. G. is to be accountable.[1]

A report from the Board of Admiralty was read; wherein they recommend "that Mr. Van Dyck be appointed captain of marines, to act at present and receive pay as lieutenant of marines, on board the *Saratoga*."

BOARD OF ADMIRALTY *July 15th 1780.*

The Board beg leave to represent to the Honorable the Congress, that there being a vacancy on board the *Saratoga* of Lieutenancy of Marines, that ship from her size is not permitted to have a Captain and Mr Van Dyck being strongly recommended to the Board by General Washington to an employment in the navy, the Board thought it proper that he should be appointed to act at present and receive pay as Lieutenant of Marines on board the *Saratoga*, but as the General hath recommended him to a Captaincy, and he appears to merit that rank, the Board therefore wish that a Commission of Captain of Marines in the Navy of the United States may be granted to Abraham Van Dyck Esqr.

Inclosed is Genl Washington's recommendatory letter, which was omitted when the commission for Mr Van Dyck was transmitted to his Excellency the President of Congress.

The Board take leave further to observe that there are but two Captains of Marines out of Employ, excepting such as are Prisoners, and about six Lieutenants, and where they are, or in what business engaged is altogether uncertain, none of them are here. It would be a great injury to the Service to have marines on board our ships without officers to Command them, until absent officers should be sought for and found, and when any of them should be found they may be either employed in private, or decline further public service.[2]

On the question to agree to this report, the yeas and nays being required by Mr. [Timothy] Matlack,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 435.

[2] This report and enclosure are in the *Papers of the Continental Congress*, No. 37, folios 415 and 423.

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| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. S. Adams, | no | no |
| Holten, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Sherman, | no | |
| B. Huntington, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | ay | div. |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | no | no |
| Matlack, | no | |
| Ingersol, | no | |
| *Maryland,* | | |
| Mr. Hanson, | no | no |
| ~~Henry,~~ | no | |
| *Virginia,* | | |
| Mr. Jones, | no | no |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| Motte, | no | |
| *Georgia,* | | |
| Mr. Walton, | ay | no |
| Telfair, | no | |
| Few, | no | |
| Howly, | no | |

So it passed in the negative.

On motion of Mr. [Timothy] Matlack, seconded by Mr. [Whitmill] Hill.

*Ordered,* That the Board of Admiralty enquire into the circumstances under which a quantity of sugars and other merchandise were imported in the frigate *Confederacy,* and who were the persons concerned in that transaction, and report thereon to Congress.

A report from the Board of Admiralty was read:

ADMIRALTY OFFICE *21 July 1780.*

The Board beg leave to report to Congress that a warrant issue in their favor upon the Treasurer for 976,736. Dollars, being the amount of the estimate, to enable them to fit the *Confederacy* for sea.

The money arising from the sales of sugar imported by the Commissary General of Purchases, and to be sold under the directions of the commercial Comm^ee^, would furnish a considerable sum, and we could wish that it might be applied to this purpose, especially as by a Resolution of Congress, all prize money is to be applied to the use of the navy, and it is exceedingly natural, that money obtained by the navy should go to its use when wanted.

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It is not proposed that the whole sum specified, if it could be supplied, should be drawn all at once, but from time to time as necessity may require.

The Board beg further to report that a warrant issue on the Treasurer in their favor for forty thousand Dollars to enable them to advance a month's pay to the men belonging to the *Saratoga*, which is now ready to fall down the river[1]

*Ordered*, That the same be referred to the Board of Treasury.

Mr. James McCall was put in nomination by Mr. [Francis] Kinloch for a commissioner in the chambers of accounts.

On a representation made by the Delegates of Massachusetts Bay, that there is no General Officer to draw warrants on the Deputy Paymaster General in that Department and that Officers and Soldiers in that State have consequently not been paid their wages agreeably to resolutions of Congress.

*Resolved* that the, *President with the advice of the Council* of the State of Massachusetts Bay be, and hereby is authorized and empowered to draw warrants upon the Deputy Paymaster General in that Department for such sums of money as now are or shall become due to Officers and Soldiers doing duty in that State, and to those of the regiments lately under the command of Colonels Jacobs and Tyler for their service in the State of Rhode Island entitled to receive pay agreeably to resolutions of Congress[2]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, JULY 22, 1780

A letter, of 5, and a memorial from Lieutenant Colonel Fleury, were read:[3]

*Ordered*, That the memorial be referred to the Board of War.

[1] This report and the enclosure "an estimate of what is necessary to fit the *Confederacy* for sea," are in the *Papers of the Continental Congress*, No. 37, folios 265–273.

[2] This motion, in the writing of Samuel Adams, is in the *Papers of the Continental Congress*, No. 36, I, folio 85.

[3] The memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 212; the letter in No. 78, IX, folio 321.

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Three letters from the honble. J. Adams, were read; one dated March 8, another the 18, and the third the 19th of the same month, and referred to the Committee of Foreign Affairs.[1]

A memorial of Benjamin Fuller was read:[2]

*Ordered*, That it be referred to the Board of Treasury.

A report from the Board of War was read; Whereupon,

WAR OFFICE. *July. 18. 1780*

SIR,

The board have been applied to by Mr Pettit, Assist Qr Master Genl for money to pay Major Lee for horses purchased by himself for his Corps. It appears that Major Lee has lately purchased six horses, amounting to twenty thousand one hundred pounds, to replace in part the number he lost last winter at Burlington, trusting to the necessity of the case to justify him. But as the Board know of no resolve of Congress, authorizing such purchases, they beg leave to submit to Congress the propriety of determining upon Mr Pettit's application for £10,216—the balance now due to Major Lee—the difference between that sum and the amount of the purchase money, Mr Pettit has already paid him.

Should Congress be of opinion that the money should be furnished the Board beg leave to report.

*Ordered*, That a warrant issue on the treasurer, in favour of Charles Pettit, assistant Q. M. G. on account of Major General Greene, Q. M. G. for twenty seven thousand two hundred and forty two dollars and two thirds of a dollar, for the purpose of paying for horses lately purchased for Major Lee's corps; for which sum the said General Greene, Q. M. G. is to be accountable.[3]

The committee, to whom was referred the letter of Moore Furman, delivered in a report, which was read.

[1] These letters are printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 539, 557 and 560.

[2] This memorial, dated March 21, 1780, is in the *Papers of the Continental Congress*, No. 41, III, folio 216.

[3] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 452. It is indorsed: "See May 18, 1780." Lee's letter was read on that day.

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The committee to whom was referred the letter, of 19 June, from Major General Greene, Q. M. G. brought in a report, which was read.

Congress resumed the consideration of the proceeding of the court martial on the trial of Doctor Shippen, and having made some farther progress,

Adjourned to 10 o'Clock on Monday.

### MONDAY, JULY 24, 1780

A letter, of 23 March, from the honble. J. Adams was read:[1]

*Ordered*, That it be referred to the Committee of Foreign Affairs, to report thereon.

A letter, of 20, from General Washington; and

A letter, of 6, from J. Bradford, were read.

A letter, of 18, from the committee at headquarters, with sundry papers enclosed; also

One of the 20, and one of 21, from the same, were read:[2]

*Ordered*, That they be referred to a committee of five.

The members chosen, Mr. [Samuel] Adams, Mr. [Thomas] McKean, Mr. [Roger] Sherman, Mr. [Henry] Laurens and Mr. [Abraham] Clark.

A memorial of William Millford [Millward] was read:[3]

*Ordered*, That it be referred to the Board of Treasury.

A report from the Board of Treasury was read; Whereupon,

*Resolved*, That from the particular circumstances attending the case of William Watson, and he having offered the best

[1] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 568.

[2] Bradford's letter is in the *Papers of the Continental Congress*, No. 78, III, folio 493; Washington's is in No. 152, IX, folio 39. The letters from the Committee at Headquarters are in No. 39, I, folios 134, 141 and 142; they are transcribed in Committee Book, 1780, Proceedings of the Committee appointed on the 13th of April, 1780, folios 31 and 38.

[3] This memorial, dated July 21, 1780, is in the *Papers of the Continental Congress*, No. 41, VI, folio 185.

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vouchers to support his claim that his present situation will admit of,

A warrant issue on the treasurer in his favour, for seven thousand four hundred and eighty dollars, on account of the rum mentioned in his memorial to be furnished to Francis Coddington, deputy commissary general of purchases in Georgia, and for which sum the said William Watson is to be accountable.

*Resolved*, That in the absence of a general officer, the supreme executive of the State of Massachusetts Bay be, and hereby are authorised and requested, to draw warrants upon the deputy pay master general in that department for such sums of money as now are, or may be hereafter due on account of pay to officers and soldiers who have done, or are now doing duty in that State, or in the State of Rhode Island.[1]

Congress took into consideration the report of the committee on the letter from Moore Furman, deputy quarter master; and thereupon,

*Resolved*, That a copy of the said letter from Moore Furman, be transmitted to his Excellency Governor Livingston, and to the quarter master general:

That the quarter master general be directed immediately to appoint such suitable person as shall be approved by the supreme executive authority of the State of New Jersey, to act as deputy quarter master in the said State, agreeably to the late regulation of the quarter master's department, in order that the measures therein provided for collecting forage and transporting provisions and other public stores, may be taken as soon as possible:

That, until such deputy is so appointed and approved, Moore Furman be authorised to receive from the state commissaries such quantities of forage, out of the supplies purchased for the United States, as may be necessary to enable

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 437.

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him to forward the transportation of public stores; and that Governor Livingston be requested to give orders to the state commissaries to deliver the same accordingly, if such order shall be necessary: ~~and also to take the necessary steps for approving a suitable person to be appointed Deputy Quarter Master in said State as aforesaid as speedily as possible.~~[1]

Congress took into consideration the report of the committee on the letter of 19 June last from Major General Greene, quarter master general; and thereupon,

The Committee to whom was referred the letter of the 19th of June last from General Greene desiring the sense of Congress on his responsibility as Q. M. General for the Expenditures of his Agents submit the following report.

They conceive it to be essential to the public interest as well as incident to the nature of all offices entrusted with money for public uses, that those who exercise them should be accountable for its due application nor can it make any substantial difference whether the advances be immediately disbursed by the principal himself to whom they are made, or by agents appointed by and amenable to him since it is always in his power and is manifestly his duty to take the precaution of sufficient securities.

That this has been the idea of Congress appears not only from the express condition on which every particular advance of money has been made to the several Departments, but from a resolution of Congress of March 2d 1778 subsequent to the appointment of General Greene "enacting that the forage masters, waggon Masters and other officers in the Department be in the appointment of the Qr Mr General, who is to be *responsible for their conduct.*" In this general responsibility no doubt can exist, that the faithful expenditure of public money is included. On the contrary it is rather to be supposed, that this branch of their duty was most immediately pointed at.

The Committee however in searching the Journals find two instances in which it appears that Congress have been disposed to qualify the strictness of this doctrine in favour of the Heads of the Depart-

[1] This report, written by Roger Sherman, was delivered July 22. It is in the *Papers of the Continental Congress*, No. 19, II, folio 361.

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ments. The first is a resolution passed April 16th 1778 respecting the Commissary General's Department which as far as the expenditure of money is concerned is perfectly analogous to that of the Qr Mr General. It is in these words, "That nothing contained in the system of the Commissary General's Department shall be construed to make the Commissary General liable for the misapplication of money for the use of his Department by any inferior officer in that Department, provided that he shall take bonds from the Deputy Commissary General and Assistant Commissary General respectively appointed by him, with not less than two good and sufficient securities in the sum of twenty thousand dollars to be by him lodged in the Treasury Office, and the said Deputy Commissaries shall be exonerated of all sums of money by them respectively paid to the Purchasing Commissaries, provided they shall take bonds from the said Purchasing Commissaries respectively with not less than two good and sufficient securities in the sum of ten thousand dollars, which bonds they shall lodge in the said Treasury Office."

The other instance is the report of a Committee on a letter from Genl Mifflin agreed to in Congress May 19th 1778 in the words following "That they had had a conference with Major General Mifflin and the Auditor General on the subject of the said letter and having heard General Mifflin's observations on his peculiar situation as Q. M. General and his objections to being held strictly to account in cases where from the nature of the business and particular circumstances attending it, he was incapable of direct agency and the necessary Superintendence that the Committee delivered to him and to the Auditor General their opinion that the great servants of the public are *generally* to be accountable, that if in the course of adjusting the public accounts deficiencies shall appear Congress will in every special case determine upon the circumstances as they arise whether the party shall or shall not be discharged, that the Committee had no doubt, but such favorable allowances would be made as justice should require, but that Congress could not consistent with their duty to the United States by any general resolution hold up the maxim, that payment of money to Deputies or Assistants in a Department should discharge the principal."

From this view of the subject, the committee recommend the following resolution



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*Resolved*, That Major General Greene, quarter master general, be informed, in answer to his letter of the 19 June last, that Congress, conceiving it to be essential to the public interest, as well as incident to the nature of all offices entrusted with the disbursement of public monies, that those who exercise them should be responsible for such disbursement, whether it be made immediately by themselves or by agents appointed by and responsible to them, cannot, consistently with their duty to their constituents, by any general resolution, hold up a contrary maxim; but as they wish not to expose the faithful servants of the public to any unreasonable risques or losses, and are sensible that, in the various branches of the quarter master's department abuses and frauds may possibly happen, notwithstanding all the customary precautions, that in all such cases they will determine on the circumstances as they arise, and make such favourable allowances as justice may require.[1]

A report from the Board of War was read; Whereupon,

WAR AND ORDNANCE OFFICE. *July 22. 1780*

SIR,

We have the honor to lay before Congress an estimate of the shot, shells, and gun powder required for the service of the present campaign, and which the intended co-operation with our allies, in the siege of New York renders indispensable. Large as it may seem, it is one third part less than the estimate sent us by Gen.l Knox, and approved by the Commander in Chief, copies of whose letters on the subject are inclosed. The estimate of the Board is founded on one of Gen.l Knox's of the 5th of Oct.r 1779 (when Count D'Estaing was expected) for a *thirty* days siege, which being doubled produces the present estimate for *sixty* days: but as the days are now one third part longer than they were last Oct.r Gen.l Knox thinks one third more should be added to the estimate. It appears however to the Board that the chief operations will not now take place till the days are much shortened; so that the principles on which he grounds his first

[1] This report, in the writing of James Madison, is in the *Papers of the Continental Congress*, No. 19, II, folio 449.

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estimate will apply to the present one. Besides, we greatly fear that the estimate of powder will hardly be completed as it now stands; but should we happily be mistaken in this point, and the siege soon commence, the orders for shot and shells may then be increased.

To the estimate we have added the probable cost of the shot and shells yet to be procured, and the price of such powder as may be purchased in the United States, which we apprehend will be very little. The second estimate contains a list of articles not on hand, and which must be purchased as necessary appendages for the service of the mortars and cannon.

Were it possible for Congress to furnish immediately the requisite sums of money, we should have little doubt of procuring the deficient numbers of shot and shells: but the iron masters who were employed the last year in casting them, were such great sufferers by the delays and mode of payment for their work, we cannot even hope that many, if any of them, will again work for the United States without the highest moral certainty of their being paid in due time, and according to the real value of the articles they shall furnish. Some of them indeed we are informed have been rendered incapable of making the necessary preparations for putting their furnaces in blast this season, and are almost ruined. Had they been early paid the sums they finally received, even in loan office certificates, they might probably have applied them usefully: but as it was, they could procure with them neither stock nor workmen, nor negotiate them without a loss of from ten to fifteen per cent: and to this day, arrears are due to some of them. We trust Congress will excuse our being so particular on this point, because it appeared to be necessary in order to give them a just idea of the embarrassments we are now to expect in procuring shot and shells.

As we conceive it to be utterly impossible to furnish in current money the requisite sums, we beg leave to suggest as the best remedy under present circumstances, the expediency of enabling the Board to contract with the iron masters in a certain medium, which at the same time that it insures to them eventually the full payment of their debts, cannot injure the public. Such contracts we believe may be made. Yet few if any of the iron masters will be able to proceed without some current money to pay and feed their workmen; for which purposes we hope ——— thousand dollars may be sufficient.

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But should these stores be provided, still there will be a capital deficiency of gun powder, to procure which, no possible resource should be left untried.

These States have so often experienced the kindness and generosity of our allies, we cannot doubt of their readiness on the present emergency, to supply our wants to the utmost extent of their ability. Should their fleet here have a surplusage of gun powder, we assure ourselves it will be most cheerfully lent us; but it is to be doubted whether they have brought more than will be wanted for their own use and that of their troops in the intended joint operations. Their magazines however in the islands may be amply supplied, and from thence perhaps some aid may be drawn. The friendship of the Spanish nation may also warrant our hopes of deriving assistance from the stores of his most Catholic Majesty at the Havanna. Of the propriety and mode of applications in these cases, Congress will determine.

We need not observe, when such large quantities of stores are to be procured, and on so short notice (for the General's letter of the 4th inst: was the first official information we received of the aid of ships and troops expected from France, and of the intended operations against New York) that the immediate attention and decision of Congress on the subject of this letter, is indispensable, and in order to facilitate their determinations, we beg leave to state our own ideas of the matter in the following resolutions

*Resolved,* That the Board of War and Ordnance be authorized and directed to procure with all possible despatch, six hundred and fifteen tons of shot for battering cannon, and nine hundred and forty seven tons of shells of such sizes as they shall deem proper according to the requisitions made by the Commander in Chief.[1]

That for this purpose, they be immediately supplied with four millions of dollars, and that they be authorized to contract for the whole quantity on the best terms possible, and agree on behalf of the United States to make payment in specie, or an equivalent in the currency of these states, at such periods as shall be mutually agreed on between the said Board and the manufacturers, with inter-

[1] This resolution was also entered in the manuscript Secret (Domestic) Journal.

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est at six per cent per annum from such times as shall be fixed on by the said Board

*Resolved,* That the said board be furnished with the further sum of four hundred and thirty five thousand dollars for the purpose of procuring the articles of military stores enumerated in their second estimate of the 24th instant.

Referred to the Board of Treasury. Passed July 25.

*Resolved,* That the said Board be furnished with ——— dollars in bills of Exchange on ——— to enable them to purchase gunpowder in the United States.

Postponed.

*Resolved,* That the Committee of Commerce be directed immediately to import from the West Indies as much gunpowder as they can obtain: and that for this purpose they be furnished with ——— dollars in bills of exchange on ———.[1]

Postponed.

*Ordered,* That the remainder of the said report be referred to the Board of Treasury.

The Board of Admiralty having represented that there is a vacancy of a lieutenant of marines on board the *Saratoga,* and having recommended Mr. Abraham Vandyke for that office,

*Resolved,* That Abraham Vandyke be appointed a lieutenant of marines, and that his commission bear date the 7th of this month, from which time he has acted in that capacity, by order of the Board of Admiralty, on board the *Saratoga* sloop of war.[2]

ADMIRALTY OFFICE
*July 24th 1780.*

The Board of Admiralty beg leave to represent to the Honorable the Congress that some time in the year 1778, they passed an act directing the marine Committee to revise the regulations relative to the navy and captures by sea; that afterwards upon an application of the said Committee Congress divided the business, assigning the former to the Marine Committee and the latter to the court of appeals; that both parts have been taken up but have not been pursued and completed; that it is highly necessary this matter should be resumed and finished, and both the regulations be published in one pamphlet;

[1] This report is in the *Papers of the Continental Congress,* No. 147, IV, folio 459.
[2] This report is in the *Papers of the Continental Congress,* No. 37, folio 275.

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so that the Commanders of the navy, privateers, and letters of Marque may be properly informed of their duty and the confusion avoided which must follow an attention to regulations adapted to circumstances very different from the present, to regulations indigested and incomplete.

The Board have resumed the branch assigned to the Marine Committee, and intend to proceed in the business as they may have leisure.

As the Commissioners of appeals consisting of Members of Congress are dissolved, The Board beg leave to propose, that a special committee be appointed, to revise the regulations relative to captures by sea and form a system suited to our present circumstances and connexions.

~~The Board beg leave to inform Congress that Captain Van Dyck, having applied for a Lieutenant of Marines Commission in the Continental Navy, and has done duty as such on board the *Saratoga* from the 7th day of this instant all which is submitted to the determination of Congress.~~[1]

*Ordered,* That the Board of Admiralty proceed in revising the regulations of the navy, and that the revision of the regulations relative to captures by sea, which was heretofore committed to the Committee on Appeals, be referred to the said Board, and that they report with all convenient dispatch a system suited to the present circumstances and connexions of these United States.

On motion of Mr. [Thomas] Bee, seconded by Mr. [Jared] Ingersol,

*Ordered,* That the Board of Treasury lay before Congress a state of their proceedings respecting the sales of bills of exchange, agreeably to sundry resolutions of Congress, specifying the number disposed of under each resolution, and at what rate of exchange, and that they report fully thereon.

*Ordered,* That to morrow be assigned for electing an assistant quarter master general to reside near Congress.

[1] This report is in the *Papers of the Continental Congress,* No. 37, folio 277.

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Charles Pettit, Esquire was put in nomination for assistant quarter master general by Mr. [John] Armstrong.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, JULY 25, 1780

A letter, of this day, from the Minister of France was read: [1]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. B[enjamin] Huntington and Mr. [Whitmill] Hill.

A letter, of 20, from General Washington, was read, enclosing copy of a letter of the same date from Brigadier General Maxwell, requesting leave to resign: [2]

*Resolved,* That the resignation of Brigadier General Maxwell be accepted.

*Ordered,* That the letter be referred to the Board of War.

A letter, of 24, from J. Gibson was read:

*Ordered,* That it be referred to the Board of Admiralty to take order.

A memorial of Joseph Browne, surgeon of the 7th Pensylvania regiment, was read: [3]

*Ordered,* That it be referred to the Medical Committee to report.

A petition of Abel Westfall was read: [4]

*Ordered,* That it be referred to the Board of War.

A letter, of 24, from W. Gibbes, one of the commissioners of the continental loan office for the State of South Carolina, was read: [5]

*Ordered,* That it be referred to the Board of Treasury.

[1] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 881.

[2] This letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 33.

[3] This memorial, dated July 24, 1780, is in the *Papers of the Continental Congress*, No. 41, I, folio 295.

[4] This petition, undated, is in the *Papers of the Continental Congress*, No. 42, VIII, folio 192.

[5] This letter is in the *Papers of the Continental Congress*, No. 78, X, folio 255.

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The delegates for New Hampshire laid before Congress a letter, of 30 June, from President Weare, which was read, together with a petition from John McClintock, and sundry papers enclosed, respecting a capture made by him and others and carried to Granada.[1]

*Ordered*, That it be referred to the Committee of Foreign Affairs.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR, *July 24, 1780*

Present Col. Pickering, Mr Peters, Col. Grayson, Genl Scott, Genl Ward

The board having received information that Margaret Corbin (for whom Congress made provision in their act of July 6. 1779 for her gallant conduct in serving a piece of artillery when her husband was killed by her side) still remains in a deplorable situation in consequence of her wound, by which she is deprived of the use of one arm, and is in other respects much disabled and probably will continue a cripple during her life, Beg leave to report

*Resolved*, That Margaret Corbin receive annually, during her natural life, one compleat suit of cloaths out of the public stores, or the value thereof in money, in addition to the provision made for her by the act of Congress of July 6, 1779.[2]

Another report from the Board of War was read; Whereupon,

*Ordered*, That Monsieur la Clause receive one year's pay as lieutenant in the legion late Pulaski's, ~~and that bills of exchange for two hundred dollars on the Commissioners at Holland be granted to him, to enable him to return to Europe.~~ and that the sum of eight thousand dollars, in continental currency, be granted to him, to enable him to return to Europe.[3]

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XVI, folio 45.
[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 460.
[3] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 465.

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Congress proceeded to the election of an assistant quarter master general, to reside near Congress, and the ballots being taken, Charles Pettit, esq. was elected, ||having been previously nominated by Mr. [John] Armstrong||

On motion of the delegates for Pensylvania,

*Resolved,* That the supreme executive of the several States, which are called upon to furnish waggons for the service of the United States, be authorised to make such allowance for the hire of waggons as they shall think adequate, until deputy quarter masters are appointed for the states respectively.

A report from the Board of Treasury was read: Whereupon,

*Resolved,* That the interest due on the certificates issued from the loan office in the State of North Carolina be referred to that office for payment, to which office bills of exchange have been sent for the purpose of paying such interest.

Postponed.

And that the interest due on the certificates issued from the loan office in the State of Georgia be postponed until the papers and books of said loan office be deposited with the Treasurer of the United States.

*Ordered,* That on the application of Charles Pettit, assistant quarter master general, approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, Q. M. G. for nine thousand seven hundred and ninety two dollars, for the use of the department of the said quarter master general, who is to be accountable.[1]

That on the application of Charles Pettit, A. Q. M. G. accompanied with an estimate of monies wanted in the department ~~of John Mitchell Deputy Quartermaster General~~ approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, Q. M. G. for two hundred thousand dollars, to be applied

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 439.

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to the payment of road and ammunition wagons, of men employed by the day, and occasional expences of men to go with horses and teams to camp, per month, and to the purchase of camp equipage; and for which the said Major General Greene, Q. M. G. is to be accountable.

That on the application of David Claypoole, printer, a warrant issue on the treasurer in his favour, for two thousand dollars ~~for the purpose of binding the Journals of Congress for the year 1778~~; and for which the said David Claypoole is to be accountable.

That on the application of Joseph Carleton, paymaster to the Board of War and Ordnance, a warrant issue on the treasurer in his favour, for twenty thousand dollars, for the contingent expences of office; and for which the said Joseph Carleton is to be accountable.

That on the application of Jacob Heiltzeimer, a warrant issue on the treasurer in his favour, for sixty thousand dollars, for the purpose of purchasing forage for the horses under his care; and for which the said Jacob Heiltzeimer is to be accountable.

That on the application of Mr. W[hitmill] Hill, a delegate for the State of North Carolina, a warrant issue on the treasurer in his favour, for ten thousand dollars; for which the said State is to be accountable.

That on the application of the Board of Admiralty, a warrant issue on the treasurer in their favour, for forty thousand dollars, to enable them to advance a month's pay to the men belonging to the *Saratoga* sloop of war, which is now ready to fall down the river; and for which sum the said Board of Admiralty is to be accountable.

The Board of Treasury, to whom was referred the letter, of 18, from Sir James Jay, brought in a report; Whereupon,

~~That it appears by the letter aforesaid that the 20,000 dollars therein mentioned were put into the hands of the~~

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~~continental cloathiers in Boston, by Sir James Jay, in the month of July, 1778;~~

~~That it appears by the Treasury books that a warrant issued on the 18 day of August following, for the purpose of discharging in full the draught on James Mease, cloathier general, for the aforesaid 20,000 dollars. From which it appears, that it was in the power of Sir J. Jay to receive payment in as short a time as could reasonably be expected. That the delay was created by himself, and was not occasioned by the United States, and that he neglected to receive payment till October last; and therefore~~

*Resolved,* That although Sir James Jay has suffered considerably by the depreciation, in common with many other patriotic and virtuous citizens of these states, yet it is inexpedient to give any relief in the case stated in his letter of 18 July, 1780.[1]

~~*Resolved*, That Congress agree to the said report.~~

TREASURY OFFICE *July 25, 1780.*

The Board having considered the resolution of Congress of yesterday authorizing the Board of War to procure shot and shells for the present Campaign, referred to them to provide the ways and means of furnishing the necessary supplies of money, for carrying the same into execution Beg leave to Report,

That at present there is no money in the Treasury of the United States, but that there is reason to expect that the several quotas of the sum of ten millions of dollars required by Congress on the nineteenth day of May last, will speedily arrive, part of which may be applied to the purposes of the aforesaid Resolution

That the Board of War be authorized to contract in Continental Currency for the whole quantity of the articles ordered to be procured by the Resolution aforesaid on such terms as may be obtained most advantageous to the public, which Contracts Congress do hereby declare shall bona fide be executed on the part of the United States ~~within two months from this date,~~ and that adequate compensation

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 441.

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shall be made for all losses that may be occasioned by depreciation should any arise after the time of contract until payment is made—

They Beg leave further to Report,

That the Committee of Commerce be furnished with ——— dollars in Bills of Exchange on ——— for the purpose of importing Gun powder for which sum the said Committee is to be accountable.[1]

*Resolved,* That to enable the Board of War to execute the authority vested in them by the resolution of the 24, for the purchase of shot and shells, they be supplied with the sum of four millions of dollars, and that they be authorized to contract for the whole quantity of shot and shells mentioned in the resolution aforesaid, on the best terms possible, and agree, on behalf of the United States, to make payment in specie, or an equivalent in the currency of these states, at such periods as shall be mutually agreed on between the said Board and the manufacturers, with interest at six per cent. per annum, from such times as shall be fixed on by the said Board.

That the said Board be furnished with the further sum of four hundred and thirty five thousand dollars, for the purpose of procuring the articles of military stores enumerated in their second estimate of the 24th instant.[2]

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, JULY 26, 1780

A letter, of 22, from General Washington, with sundry papers enclosed, was read:

*Ordered,* That the same be referred to the Board of War.

A letter, of June 30th, from Brigadier General Moultrie was read:[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 445. It is indorsed: "Postponed and report of Board of War adopted."

[2] This resolution was also entered in the manuscript Secret (Domestic) Journal.

[3] Washington's letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 47; Moultrie's letter is in No. 158, folio 477.

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*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Samuel] Adams, Mr. [Henry] Laurens and Mr. [Thomas] Bee.

The Medical Committee, to whom was referred the memorial of Joseph Brown, brought in a report; Whereupon,

*Resolved*, That Joseph Brown, surgeon to the 7th Pensylvania regiment, have leave of absence for eight months.

*Ordered*, That so much of his memorial as respects his pay be referred to the Board of War.

The committee, to whom was referred the letter of 17th, from the supreme executive [council] of the State of Pensylvania, and the letters and papers enclosed, brought in a report, which was read.

The Committee to whom was referred the representation of the State of Pennsylvania of 17th July, and the letters enclosed, report,

That upon an examination of the papers and letters referred to them, it appears that the government of the State of Pennsylvania in this critical conjuncture of our public affairs has manifested her usual zeal and activity, and that the letter from the Committee at Camp of the 13th day of July contains sentiments improper to be addressed to the supreme executive authority of any of the United States.[1]

The committee to whom was referred the letter from the Minister of France, brought in a report; Whereupon,

*Resolved*, That the frigates *Trumbull*, *Confederacy*, and *Deane*, and the sloop of war *Saratoga*, be put under the direction of General Washington, to be employed in co-operating with the fleet of his Most Christian Majesty, commanded by Admiral the Chevalier de Ternay, in any naval enterprizes on the coasts of North America.

*Ordered*, That the President inform the honble the Minister Plenipotentiary of France, that the frigates, *Trumbull* and *Deane*, are expected to be in the port of Philadelphia some time in the next week; immediately after which, they and

[1] This report, in the writing of Samuel Adams, is in the *Papers of the Continental Congress*, No. 36, I, folio 83.

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the *Saratoga* will be ordered to join the French squadron, which it is hoped may be effected, by the fifteenth of next month, and it is expected that the *Confederacy* will be manned and ready to sail with, or in a few days after, them.

That the signals on the approach of any of the above vessels of war to the French squadron be communicated by the Board of Admiralty to the Minister of France.

*Ordered*, That a warrant issue on the treasurer, in favour of the Board of Admiralty, for seven hundred thousand dollars, for the use of their department; for which the said Board of Admiralty is to be accountable.

Congress took into consideration the report of the Board of War, which was read on the 12, recommending a repeal of the act, of 28 June, 1779, respecting promotions in the army; and the question to agree to the report, passed in the negative.

A motion was made by Mr. [Abraham] Clark,

That a brigadier general be appointed, in the room of Brigadier General Maxwell, resigned:

*Ordered*, That it be referred to the Board of War.

A letter, of this day, from the honble. the Minister Plenipotentiary of France was read:[1]

*Ordered*, That it be referred to the Board of War.

The Board of War laid before Congress an estimate of stores to be purchased for the use of the army:[2]

*Ordered*, That it be referred to the Board of Treasury.

A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR *July 17. 1780*

Present. Col. Pickering, Mr. Peters, Col. Grayson, Genl. Ward

The Board having made inquiry into and considered the state of the department of military stores at Springfield in the State of Massachu-

[1] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), IV, 11.

[2] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 149. The "Amount of the Number and Value of the Stores to be purchased agreeable to estimate for the use of the army" is in No. 34, folio 291.

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setts Bay, are convinced that it is and has long been so very ill conducted that the benefits derived from it have been very inadequate to the expense of supporting it. Sensible of this, the board more than six months ago requested Col Lamb (who had been appointed Surveyor of Ordnance) to visit that post, to examine into abuses, and report such arrangements as the good of the service should, in his opinion require. His report will be transmitted to Congress herewith. The most important matter recommended by him is the appointment of "a person *capable* of managing the department, who should have the superintendence of the whole." This coincided with and confirmed the opinion the Board had previously formed on the same point. The board at that time endeavored to procure a fit person for such superintendence, and received encouragement that a gentleman every way qualified for the office would accept it, but were disappointed. We are now satisfied it would be better to break up the post entirely than continue it on its present footing. For, such has been the negligence and mismanagement for some time past, we cannot think it our duty to furnish any more money for the post, while the present principals there are in office: yet without money business must wholly cease, and the department be dissolved. An immediate reformation of it therefore appears to be absolutely necessary: for as the post is well situated, as many Stores are there collected, and buildings provided for their reception, we think it ought to be maintained, provided, abuses are reformed, useless officers removed and proper arrangements made: and if this be done immediately some important advantages may be derived from it during the present campaign

We beg leave farther to observe, that in order to obtain the most satisfactory evidence respecting the post at Springfield, we directed Mr Hodgdon Deputy Commy Genl of Military Stores, who is personally acquainted with it and with every officer there, to lay before us the fullest information in his power respecting it. His answer is enclosed together with extracts from letters to him from divers officers in the department at Springfield: all which clearly evince the absolute necessity of reforming it, especially by removing those who now claim to be its principal directors. We also find that there are some improper and unecessary officers at other posts in this department who ought immediately to be removed. We therefore beg leave to report,

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*Resolved*,[1] That Ezekiel Cheever Esq.r and Lieutenant Colonel David Mason, who have been employed at Springfield in the State of Massachusetts Bay, in the Department of the Comm.y Gen.l of Military Stores be excused from farther service at that post ~~but that they continue to receive their pay and subsistence money respectively, until the farther order of Congress~~.

That the Board of War and Ordnance be authorised and directed to remove any unecessary officers at that and any other post in the department of the Comm.y Gen.l of Military Stores, and to arrange the affairs of the whole department in such manner as they shall deem most conducive to the public service: reporting their proceedings to Congress.

The Board are aware that the business now reported upon is included in the commission of the committee at camp; but as they are likely to be detained there during the campaign; as the Board are well acquainted with this department, from its having ever been under their more immediate direction: and at the present time, have received as full and satisfactory information respecting it, as perhaps can ever be obtained: and as the public service is suffering greatly for want of the arrangements now proposed; we thought it our duty to wait no longer, but to ask the immediate decision of Congress thereon.[2]

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JULY 27, 1780

A letter, of 24th, from President Rodney, of Delaware, was read.[3]

A report from the Board of Admiralty was read; Whereupon,

ADMIRALTY OFFICE, *July 26th 1780.*

The Board of Admiralty have received the Resolutions of Congress respecting a revision of the Regulations of the navy, and of those relative to Captures by sea.

[1] The next two paragraphs are entered in the Journal in the writing of George Bond.
[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 444.
[3] This letter is in the *Papers of the Continental Congress*, No. 70, folio 757.

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Protesting that they are disposed to pay due obedience to all acts of Congress and to do every thing in their power for the furtherance and promotion of the sea service, the Board crave leave to request that they may be discharged from reporting a system of regulations relative to Captures by sea, and for the following reasons, to wit.

First. The impropriety of assigning this branch of regulations to them, and

Secondly. The impossibility of their completing in convenient time a proper system.

Conceiving that there was an impropriety in committing this branch of regulations to the Marine Committee, Congress notwithstanding that Committee consisted of thirteen members, many of which were learned in the law of nations, did, agreeably to their request, assign this business to the court of appeals, as the Board have already represented to Congress.

If it was then improper, the board submit to the wisdom of Congress, whether it can be now proper when there are but two standing members of the Board of Admiralty, to commit to them the framing a system of regulations relative to Captures by sea.

The impossibility of their reporting such a system in due time, will appear from the following considerations.

Regulations for the Navy will require much time and attention. Those which have been made by Congress, must be critically reviewed, and such of them selected as are judged suitable to our present circumstances, the British regulations inspected (for the Board do not think it unlawful to be taught by an Enemy, whose naval skill and power, until the reign of the present illustrious King of France, were superior to that of any Kingdom or state on earth) such of them adopted as our constitution will admit, and the whole systematically arranged.

This business the Board have re-assumed, and it must be pursued amidst a variety of other matter, and under the embarrassments, in which for want of a system and money the Board, is deeply involved, a considerable length of time must of course have run out before the regulations of the navy can be reported. After this, as the resolutions now stand, the regulations relative to Captures are to be taken up. Congress we believe will be of opinion with us that in this way they will not be completed until the arrival of some very remote period in futurity.

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For these reasons, we hope Congress will discharge the Board from framing regulations relative to Captures by sea, and commit it to a special committee as was before requested.[1]

*Ordered*, That the Board of Admiralty be discharged from reporting a system of regulations relative to captures by sea; and

That the same be referred to a committee of five:

The members chosen, Mr. [Thomas] McKean, Mr. [James] Henry, Mr. [Jared] Ingersol, Mr. [Richard] Howly and Mr. [Nicholas] Van Dyke.

Whereas it is necessary that, during the war, the states be supplied with commissions, bonds and instructions, for private armed vessels, and that the bonds given by the commanders of the said vessels be returned into the office of the secretary of the United States in Congress assembled:

*Ordered*, That the commissions signed by the President, and attested by the secretary of the Board of Admiralty, together with the instructions and blank bonds, be lodged in the office of the secretary of Congress, and issued from thence to the several states, on the requisition of the supreme executive powers of the said states respectively:

That the bonds executed by the commanders of the private armed vessels, to whom commissions are or may be given, be lodged in the office of the secretary of Congress:

That an account be kept in the said office of the commissions, bonds, and instructions sent to the several states, and of the bonds returned by them respectively into the said office.[2]

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of William Ramsey, clerk in the chamber of accounts, a warrant issue on the

[1] This report is in the *Papers of the Continental Congress*, No. 37, folio 281.
[2] This report is in the *Papers of the Continental Congress*, No. 37, folio 279.

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treasurer in his favour, for six thousand dollars, on account of his salary.

That on the application of John Nicholson, a clerk in the chamber of accounts, a warrant issue on the treasurer in his favour, for six thousand dollars, on account of his salary.

The Board of Treasury, to whom was referred the memorial of William Millward, report,

That it is expedient and necessary to refer the said William Millward to the commissioner of the continental loan office for the State of Connecticut, for the payment of the interest due on the sum mentioned in his said memorial, as the money was put into that office:

The Board beg leave further to report: That the Loan Offices are not in condition to make payments agreeably to the resolution of Congress dated the 28th day of June last, and that it is expedient that speedy provision be made for that purpose.[1]

*Resolved,* That Congress agree to the said report.

A memorial from Joshua Barney, lieutenant in the navy, was read.[2]

*Ordered,* That it be referred to the Board of Admiralty.

The Board of War, to whom was referred the petition of Abel Westfall, brought in a report; Whereupon,

At a Board of War. *July 27. 1780*

Present. Col Pickering, Col Grayson, Genl Ward

The Board having considered the petition of Abel Westfall, referred to them by Congress, are of opinion, that the vouchers, (the best the case will at this time admit of) are sufficient to establish his claim of payment for his waggon and horses, impressed into the service of the United States in 1777, by order of Genl Smallwood, and therefore beg leave to report

*Resolved,* That the petition of Abel Westfall be referred to the Board of Treasury, to report a sum to be allowed him

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 447.

[2] This memorial, dated July 26, 1780, is in the *Papers of the Continental Congress*, No. 41, I, folio 301.

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for the payment of a waggon and three horses taken into the service of the United States, by order of Brigadier General Smallwood, in 1777.[1]

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor W. Shippen, Junior; and some farther progress being made,

Adjourned to 10 o'Clock to Morrow.

### FRIDAY, JULY 28, 1780

A letter, of 24, from Governor Lee, of Maryland, was read, enclosing an act passed by the legislature of that State, in pursuance of the resolutions of Congress, of 18 March last.

*Ordered,* That the said act be referred to the Board of Treasury.

A letter, of 23rd, from the committee at headquarters was read, with sundry papers enclosed.[2]

A memorial of R. Patton was read; Whereupon,[3]

*Resolved,* That until the farther order of Congress, Robert Patton, messenger, and William Hurrie, door keeper to Congress, be allowed for their services at the rate of 40 dollars a day, continental currency, from the 20th day of April last.

Congress took into consideration the report of the Board of War on the petition of Robert Jewell; Whereupon,

AT A BOARD OF WAR, *July 5th, 1780.*

Present Colo Pickering, Mr Peters, Colo Grayson.

The board having considered the petition of Robt Jewell, keeper of the new goal praying for an addition to the salaries of himself and his assistants, are of opinion, that they ought to be increased.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 469.

[2] The Maryland letter is in the *Papers of the Continental Congress*, No. 70, folio 399. The letter from the Committee at Headquarters is in No. 39, I, folio 148, and a transcript is in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 38.

[3] This memorial, dated July 28, 1780, is in the *Papers of the Continental Congress*, No. 41, VIII, folio 126.

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From the 20th day of June 1778 to the last day of Decr 1779 their pay was as follows

Robt Jewell for himself, turnkey and occasional clerk 8 dollars a day.

Two assistants each, four dollars a day.

From the 1st of Janry 1780 to this day there has been allowed to Robt Jewell, 30 dollars a day. To each of his assistants 20 dollars a day. To his Turnkey 10 dollars a day, in full for their services, and subsistence.

As these sums are very inadequate to the expences of these persons, and they have suffered greatly by the depreciation of the currency between the different periods of fixing their pay, the Board beg leave to report.

*Resolved*, That until the further orders of Congress, there be allowed to Robert Jewell, Keeper of the new gaol in Philadelphia, sixty dollars a day.

To each of his assistants fifty dollars a day, and to his turnkey, thirty dollars a day, in the present Continental currency, in full for their services, and subsistance; and that this encreased pay commence on the first day of March last.

The Board beg leave to add, that the keeper assures them his assistants will leave him unless their pay is increased, it being impossible for them to subsist, on their present stipends.[1]

On motion of Mr. [Henry] Laurens, seconded by Mr. ~~Bee~~ [William] Few,

*Ordered*, That a committee of five be appointed to take into consideration the state of South Carolina and Georgia, and make report:

The members chosen, Mr. J[oseph] Jones, Mr. [Samuel] Adams, Mr. [John] Armstrong, Mr. W[illie] Jones and Mr. [James] Henry.

Congress resumed the consideration of the proceedings of the general court martial on the trial of Doctor W. Shippen; and some farther progress being made therein,

[1] This report is in the *Papers of the Continental Congress*, No. 148, I, folio 141.

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*Ordered*, That the farther consideration thereof be postponed.

According to order, the Board of Treasury laid before Congress a state of their proceedings respecting bills of exchange.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY JULY 29, 1780

Sundry letters from Holland, of March and April last, were read:[1]

*Ordered*, That they be referred to the Committee of Foreign Affairs.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. [John] Armstrong, a delegate for the commonwealth of Pensylvania, a warrant issue on the treasurer in his favour, for ten thousand dollars; for which the said commonwealth is to be accountable.

That on the application of Mr. [Ezekiel] Cornell, a delegate for the State of Rhode Island, a warrant issue on the treasurer, in his favour, for five thousand dollars, for which the said State is to be accountable.

That on the application of Mr. [William] Few, a delegate for the State of Georgia, a warrant issue on the treasurer in his favour, for five thousand dollars; for which the said State is to be accountable.

That on the application of Mr. [John] Hanson and Mr. J[ohn] Henry, delegates for the State of Maryland, a warrant issue on the treasurer in their favour, for twelve thousand dollars, for which the said State is to be accountable.[2]

[1] Letters of Charles W. F. Dumas from The Hague, dated March 15 and 21 and April 13 are printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 549, 565, and 611.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 451.

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A report from the Board of War was read; Whereupon,

WAR OFFICE. *July 28. 1780*

SIR,

The board have been honored with a reference from Congress on the Case of Doct: Brown Surgeon to the Seventh Pennsylvania Regiment who prays that his pay may be granted him to enable him to return to Europe. The receipt of pay due him being a matter of course we did not think it necessary to report on the subject. But we have received an application from the Doctor desiring his pay or a considerable proportion of it in specie, or the exchange in continental currency. His pay having accrued as an officer of a regiment, he cannot be treated in any respect differently from other officers of the army, there being no motives of national policy to make his case an exception. We therefore could not consent to report a compliance with his request: tho' from his good character and the sacrifices he has made we have a private wish in his favor. We hope on this score to be excused for recommending his case to the wisdom of Congress, that he may be gratified in his request, if any mode can be discovered whereby the Doctor can receive a sum of money to enable him to prosecute his voyage to Europe without creating an embarrassing precedent. The Doctor has mentioned to us that Fifty pounds sterling would be sufficient for his purpose and if the pay due him were to be reckoned in specie, nearly double that sum would be owing to him from the public.[1]

*Ordered*, That a warrant issue on the treasurer, in favour of Doctor Joseph Browne, surgeon of the seventh Pensylvania regiment, for the sum of eight thousand dollars, advanced to him; and for which he is to be accountable.

A memorial of Daniel Broadhead, Junior, was read:[2]

*Ordered*, That it be referred to the Board of War to report specially.

A letter, of 27, from General Washington was read.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 471.

[2] This memorial, undated, is in the *Papers of the Continental Congress*, No. 41, I, folio 305.

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A letter, of 26, from Major General Greene, Q. M. G. was read:[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [John] Henry, Mr. [Thomas] McKean and Mr. [Artemas] Ward.

The committee, to whom was referred the letter of May 1st, from Governor Trumbull, brought in a report; Whereupon,

*Resolved*, That Jeremiah Wadsworth, late commissary general, be directed to make sale of the public sugars stated in the letter of 1st May, 1780, from Governor Trumbull, to be in his hands; and report to Congress the amount thereof.[2]

Congress resumed the consideration of the proceedings of the general court martial on the trial of Doctor W. Shippen; and some farther progress being made,

AT A BOARD OF WAR, *July 29. 1780*

Present Col. Pickering, Mr Peters, Col Grayson, Genl Ward

In order to keep up an adequate supply of military stores for the southern army, the board are of opinion that a magazine should be established near Richmond in Virginia, and proper persons employed to take charge of the same, and to carry on the various branches of business requisite in the department of Military Stores. With this view the board have engaged Capt: Irish of Col. Flower's regiment of artillery artificers to undertake the direction of such an establishment, in the character of Commissary of Military Stores; which appointment they will give him if Congress approve of the proposed establishment

The board therefore beg leave to report

That the board of war and ordnance be directed to establish near Richmond in Virginia a magazine for military stores and to procure the necessary workmen for carrying on at that place the various branches of business requisite for furnishing a competent supply of military stores to the southern army.

[1] Washington's letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 61; Greene's is in No. 155, I, folio 399.

[2] This report, in the writing of James Madison, is in the *Papers of the Continental Congress*, No. 20, I, folio 261.

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That the person whom the said board shall appoint to be commissary of military stores for that post be allowed fifteen hundred dollars per month.

It may be proper to inform Congress that in addition to the 1500 dollars per month, Capt Irish expects to be allowed to retain his commission in the corps of artillery artificers, with its emoluments, which the board do not think unreasonable. He has served more than three years as a Captain in that regiment and thro' the insufficiency of his pay has been obliged to sell a great part of his estate for the support of himself and family; and the pay above proposed together with his pay as a Captain of Artificers will not purchase thirty dollars in coin per month. He is very capable of conducting the business which the board propose to commit to his direction, and they know not where to find a substitute as well qualified, even on higher terms.[1]

Adjourned to 10 o'Clock on Monday.

MONDAY, JULY 31, 1780

A letter, of 26, from General Washington, was read:

*Ordered*, That it be referred to the Committee of Intelligence.

A letter, of 22, from General Washington was read:

*Ordered*, That it be referred to the committee on the letter, of 18, from the committee at headquarters.

A letter, of 27, from the committee at headquarters was read:

*Ordered*, That it be referred to the committee on the letter, of 26, from General Greene, Q. M. G.

A letter, of 12, from John Bradford, at Boston, was read:[2]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Henry] Laurens, Mr. [Thomas] McKean and Mr. [Abraham] Clark.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 475.

[2] Washington's letter of the 22d is in the *Papers of the Continental Congress*, No. 152, IX, folio 43; it is printed in the *Writings of Washington* (Ford), VIII, 354. The letter from the Committee at Headquarters is in No. 39, I, folio 166, and it is transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 40; Bradford's letter is in No. 78, III, folio 497.

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A memorial from Samuel Freeman was read:[1]

*Ordered*, That it be referred to the Board of War.

The delegates of New York laid before Congress a letter, of 1st, to them from the legislature of that State, which was read.

The delegates of Maryland laid before Congress a letter, of 27th, to them from the governor of that State, enclosing copy of a letter, of 9th, from Major General Baron de Kalb.[2]

*Ordered*, That the same be referred to the Board of War.

The delegates of Maryland also laid before Congress a letter, of 28, from Governor Lee, which was read:[3]

*Ordered*, That it be referred to the Board of Admiralty.

A letter, of 27, from Governor Lee, of Maryland, was read.[4]

Congress proceeded to the election of a commissioner of the chambers of accounts; and the ballots being taken,

Mr. James McCall was elected, ||having been previously nominated by Mr. [Francis] Kinloch.||

The committee on the report of the Board of Treasury, respecting the accounts of Major General Arnold;

And the committee, to whom were referred the letter, of 26, from Major General Greene, and the letter, of 27th, from the committee at headquarters, brought in their respective reports, which were read:

The Committee to whom was referred the report of the Board of Treasury on Major General Arnold's accounts, beg leave to report

That they have examined the accounts of General Arnold and the report of the Board of Treasury and have heard his allegations and proofs touching the articles of the report complained of by him and do find that the charge of twenty five horses amounting to the sum of two hundred and fifty pounds lawful money as mentioned in the

[1] This memorial, dated July 27, 1780, is in the *Papers of the Continental Congress*, No. 41, III, folio 220.

[2] The New York letter is in the *Papers of the Continental Congress*, No. 67, II, folio 278; the Maryland letter is in No. 70, folio 407.

[3] This letter is in the *Papers of the Continental Congress*, No. 70, folio 415.

[4] This letter is in the *Papers of the Continental Congress*, No. 70, folio 403.

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report depends for support thereof upon the certificates of Jn°. Taylor and William Cross, which, so far as relates to that charge are in the words following, "Aug: 16th 1779 I have also good reason to believe that the above mentioned cargo of horses were taken into public service and not returned, Jn°. Taylor." "Aug: 5th 1779 I likewise am of opinion and belief that the whole or the major part of the horses of Gen[l] Arnold as well as the other part of her cargo of his vessel were used for the use of our army &c Wm Cross"—which certificates not founded on the knowledge of the persons granting them but merely on report and opinion and not ascertaining the number of the horses by them supposed to have been employed in the public service or received as public property do not appear to contain sufficient proof to warrant the charge; The Committee however are of opinion the charge ought not "to be considered as incidental damages and referred to such general provisions as may be made in future for losses under that description" as reported by the Board of Treasury. But that whenever General Arnold can make it appear the horses or any of them were taken for the property of the United States the whole or such of them as shall appear to have been so appropriated and paid for by the public at the rate of nine pounds lawful money each. The Committee fully concurs in every other part of the report of the Board of Treasury and submit the following resolution.

*Resolved,* That Congress agree to the settlement of Major General Arnold's accounts as reported by the Board of Treasury excepting that part thereof which relates to the charge of twenty five horses which is left open to future settlement whenever Gen[l] Arnold shall produce proof that the whole or any of them were received for and appropriated to the use of the United States.[1]

*Ordered,* That to morrow be assigned for the consideration of the report on the letters from General Greene and the committee at headquarters.

*Ordered,* That two members be added to the committee appointed to enquire into the mode of conducting business at the Board of Treasury, in the room of Mr. [William Churchill] Houston and Mr. [Samuel] Holten, who are absent.

[1] This report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 19, I, folio 177.

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The members chosen, Mr. [Timothy] Matlack and Mr. [John] Walker.

The Board of War, to whom was referred the letter of the 26th, from the Honble the Minister of France, brought in a report; Whereupon,

*Resolved,* That, agreeably to the request of the Minister of France, the Board of War be authorised to take such measures relating to the subsistence of the recruits which shall be inlisted into the service of his most Christian Majesty, out of the German deserters from the enemy, as the said Board shall deem proper.[1]

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor Shippen, director general; and some farther progress being made therein,

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, AUGUST 1, 1780

A letter, of 30th July, from General Washington; and

One of 30 July, from the committee at headquarters, with sundry papers enclosed, were read:[2]

*Ordered,* That the report of the committee on the letters from General Greene and the committee at headquarters be re-committed, and that two members be added to the committee:

The members chosen, Mr. J[oseph] Jones and Mr. [Jared] Ingersol.

*Ordered,* That the letters just read be referred to the said committee.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 479.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 65; it is printed in the *Writings of Washington* (Ford), VIII, 363. The letter from the Committee at Headquarters is in No. 39, I, folio 174; it is transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 40.

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*Ordered,* That two members be added to the committee on the letter from J. Bradford:

The members chosen, Mr. [John] Hanson and Mr. [Timothy] Matlack.

*Ordered,* That a member be added to the committee on the Post Office in the room of Mr. [Samuel] Holten.

The member chosen, Mr. [Jared] Ingersol.

Letters, of 20th, 24, 26, 27, 28 and 29 March from the honorable J. Adams, were read:[1]

*Ordered,* That the letter, of 24, be referred to a committee of five, and the rest to the committee of foreign affairs.

The members chosen, Mr. [James] Lovell, Mr. [Thomas] McKean, Mr. [John] Henry, Mr. [James] Madison, and Mr. [John Morin] Scott.

A letter, of March 5, from Captain Landais was read, with sundry papers enclosed.

*Ordered,* That it be referred to the Board of Admiralty.

A letter from Lieutenant [La] Clause was read.[2]

A petition of Henry Hollinsworth was read:

*Ordered,* That it be referred to the Board of Treasury.

A memorial of James Shepherd, of Boston, was read:

*Ordered,* That it be transmitted to the Court of Appeals.

A petition of David Lockwood was read:[3]

*Ordered,* That it be referred to the Board of Admiralty.

The committee, to whom were referred the letters of 18th, 20th and 21 July from the committee at headquarters, delivered in their report.

Adjourned to 10 o'Clock to Morrow.

[1] The letters of March 20, 24, 26, and 29 are printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 561, 570, 572, 573, and 578.

[2] This letter, undated, is in the *Papers of the Continental Congress*, No. 78, V, folio 495.

[3] This petition, dated August 1, 1780, is in the *Papers of the Continental Congress*, No. 42, IV, folio 220.

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**WEDNESDAY, AUGUST 2, 1780**

A memorial of John Sandford Dart was read:[1]

*Ordered*, That it be referred to the Board of Treasury.

A memorial of William Clajon was read:[2]

*Ordered*, That it be referred to the Board of War to report.

A letter, of 20 July, from Joseph Marsh, Peter Olcott and Beza Woodward was read.[3]

The committee on the state of South Carolina and Georgia; and the committee, to whom was referred the letter, of 30 June, from Brigadier General Moultrie, delivered their respective reports.

Congress took into consideration the report of the committee on the letters of 18, 20, and 21 July, from the committee at head-quarters.

The first paragraph being read, viz.

That the subject matter of the quarter master general's letter to the said committee at camp, so far as it regards his responsibility, has been already determined by Congress; and, as the said committee knew that the quarter master general had requested the sense of Congress on so important a subject, they ought not to have interfered therein.

*Resolved*, That Congress agree to the same.

Re-committed.

That with regard to the order of the Board of Treasury of the 23 of March, requiring that estimates approved of by the Board of War should accompany the applications of the Quarter Master General for monies, your Committee conceive the said order to be grounded on Resolutions of Congress, and that it is highly proper that estimates, as particular as the nature of the service will admit should always accompany such applications for the public money. But it is of much greater importance

[1] This memorial, dated August 1, 1780, is in the *Papers of the Continental Congress*, No. 41, II, folio 456.

[2] This memorial, dated July 31, 1780, is in the *Papers of the Continental Congress*, No. 41, II, folio 110.

[3] This letter is in the *Papers of the Continental Congress*, No. 40, I, folio 341.

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that the Principals, and all others concerned in great Departments should be *frequently* held to account, that so the public may know in what manner and for what purposes their monies have been from time to time expended.

*Ordered*, That the second paragraph be re-committed.

The third paragraph being read, viz.

That, upon the representation made in the said committee's letter, of the deficiency of the State of Pensylvania, it is incumbent on Congress, in duty to the United States, and in justice to Pensylvania, to request the said state, through their delegates, to acquaint Congress, as precisely as possible, what supplies they have actually made for the army, in pursuance of requisitions made to them for that purpose:

*Resolved*, That Congress agree to the same.

*Ordered*, That an extract of that part of the letter of the 18th, from the committee at camp, which relates to a letter from the Board of War to General Washington, be referred to the Board of War, for their consideration:

That the letter from Jeremiah Wadsworth, to Major General Greene, Q. M. G., inclosed in the letter of the committee, be referred to the Board of War; and that the board confer with Mr. Holker on the subject, if they think it necessary:

That the memorial of Col. Hazen, with the papers inclosed, and the letter from Lewis Garanger, both which are inclosed and referred to in the letter from the committee, be referred to the consideration of the Board of War; but that the committee at camp be informed that the said memorial and letter, together with other applications made to them, and which seem to have employed their time and attention, should have been made directly to Congress, and the committee should thus have informed the applicants.

*Resolved*, That the resolutions of Congress whereby the Commander in Chief is restricted in his operations to

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the limits of the United States, be reconsidered, and the restriction taken off.[1]

On the question to agree to this, the yeas and nays having been required by Mr. Scott—

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay,* | | |
| Mr. S. Adams, | ay | ay |
| Lovell, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. S. Huntington, | no | ay |
| Sherman, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Scott, | ay | ay |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Clark, | ay | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Matlack, | ay | |
| Ingersol, | no | |
| *Delaware,* | | |
| Mr. M'Kean, | ay | ay |
| Van Dyke, | ay | |
| *Maryland,* | | |
| Mr. Hanson, | no | no |
| Henry, | no | |
| *Virginia,* | | |
| Mr. J. Jones, | ay | ay |
| Madison, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinlock, | no | |
| Motte, | no | |
| *Georgia,* | | |
| Mr. Telfair, | no | div. |
| Few, | ay | |

So it was resolved in the affirmative.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, AUGUST 3, 1780

A memorial of Peter Hysler was read:

*Ordered,* That it be referred to the Board of Treasury.

[1] This report, in the writing of Samuel Adams, is in the *Papers of the Continental Congress*, No. 21, folio 239. It was transcribed in Committee Book, 1780, Proceedings of the Committee appointed April 13th, 1780, folio 8. The last paragraph and the proceedings following were entered only in the manuscript Secret (Domestic) Journal.

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A representation from the general officers of the army was read:[1]

*Ordered*, That it be referred to a committee of six:

The members chosen, Mr. [Roger] Sherman, Mr. [Samuel] Adams, Mr. [Henry] Laurens, Mr. J[oseph] Jones, Mr. [Abraham] Clark and Mr. [Thomas] McKean.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE *July 28. 1780*

The Board having considered the memorial of William Turnbull dated July 6, 1780, and referred to them by Congress beg leave to report

That they are unacquainted with the transactions of Abraham Livingston Esq^r in South Carolina, and do not know by what authority he drew bills of Exchange on the Marine Committee. That they are uninformed of the necessaries furnished the Ships of War in the Harbor of Charlestown, as well as of the provisions purchased by order of the Commissary General which are mentioned in said memorial, and the accounts of which are said to be before the Board of Admiralty.

*Ordered*, That the memorial of William Turnbull be referred to the Board of Admiralty, and that the Board either accept or refuse the bills mentioned in the said memorial, as they may deem just and reasonable; and if the said bills, or any of them, be accepted, that the Board of Treasury be required to provide the means of payment.

*Resolved*, That for the payment of interest due on loan-office certificates, the sum of 456,000 dollars be prepared, under their direction, agreeably to a resolution of Congress, dated the 28th of May, 1778, in setts of exchange, on the commissioners at Paris, of the following denominations, viz.

| | | | |
|---|---|---|---|
| 1000 setts of 36 dollars each, - | 36,000 | 200 setts of 300 dollars each, - | 60,000 |
| 2000 do. of 60 do. - - - | 120,000 | | |
| 2000 do. of 120 do. - - - | 240,000 | | $456,000[2] |

[1] This representation, dated July 11, 1780, is in the *Papers of the Continental Congress*, No. 43, folio 259.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 453.



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*Ordered*, That on the application of Mr. [Isaac] Motte, a delegate for the State of South Carolina, a warrant issue on the treasurer in his favour, for eleven thousand dollars; for which the said State is to be accountable.[1]

Whereas the present invaded situation of the States of South Carolina and Georgia, renders it expedient that the loan offices in the said states, respectively, be removed to some place of security, until such time when they may be reestablished with safety:

*Resolved*, That all monies, books, and papers, appertaining to the continental loan offices in the States of South Carolina and Georgia, be deposited and remain in some place of safety, as contiguous as possible to the said states, to be approved by the executive authority of such states respectively, until the said offices may be re-established in the aforesaid states, respectively, with convenience and safety:

That until such offices shall be so fixed, and public notice given thereof, and also a notification to the Board of Treasury, the treasurer of the United States be empowered to pay all interest that is or shall be due on certificates issued from either of the offices aforesaid, in the same manner that such interest is directed to be paid by the commissioners of the continental loan offices.[2]

The committee, to whom was re-committed their report on the letter, of 26 July, from Major General Greene, brought in another draught, which was read; and after some debate,

That notwithstanding the danger and inconvenience which may accrue from the change of the head of so important a Department at the moment of action, when the campaign is opened, the enemy in the field, our ally waiting for co-operation and our honour and safety at stake, yet the peremptory and positive manner in which General Greene refuses to act under the present arrangement principally because "his feelings are injured" leaves Congress no choice but to

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 457.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 437.

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accept his refusal, and as the state of the campaign requires that his place should be immediately filled,

Therefore,

*Resolved,* That Congress are not insensible of the ~~gross~~ insults ~~thrown upon~~ offered them by General Greene, in the abrupt manner in which he has declined to accept of the office of Q. M. G. under the new establishment, and the very exceptionable ~~manner~~ terms in which he has expressed himself in his letters, yet willing to suppose that a conduct so contrary to what might be expected from an officer of his rank, has originated from insinuations of ill designing men, or from intemperate ~~passions~~ resolutions in an unguarded moment, Congress at this time ~~omit~~ delay to take any further notice of this transaction until time be allowed ~~for further information from~~ to General Greene ~~confidently supposing that on reflection he will~~ to see, acknowledge, and retract his error.[1]

*Ordered,* That it be re-committed.

*Ordered,* That the Committee of Foreign Affairs be discharged from reporting on the letter, of 23 March, from the honorable J. Adams; and that it be referred to the committee on Mr. Adams' letter, of 24, of the same month.

Adjourned to 10 o'Clock to Morrow.

## FRIDAY, AUGUST 4, 1780

A letter, of July 20, from General Gates, at Hillsborough, with sundry papers enclosed, was read:[2]

*Ordered,* That it be referred to the committee on the state of South Carolina and Georgia.

A letter, of 27 July, from Governor Jefferson, in pursuance of the recommendation of the 17th June, was read, enclosing an act passed by the legislature of Virginia, in pursuance of the resolutions of 18 March last; an act for furnishing specific supplies, in pursuance of the resolutions of 25 Feb-

[1] This report, in the writing of John Henry, is in the *Papers of the Continental Congress*, No. 19, II, folios 455 and 459. It is indorsed by Thomson: "Motion by Mr. Henry, 2d by Mr. Ingersol Aug. 3, 1780. Postponed N. H., Mass., R. I., Conn., N. J., D.,V., N. C., Georg. ay; Penn., Mar., S. C., no."

[2] This letter is in the *Papers of the Continental Congress*, No. 154, II, folio 214.

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ruary; an act for speedily recruiting the quota of that State for the continental army; a state of the Virginia forces in the continental army; and a state of monies answered for the continent, from May 21, 1779 to July 19, 1780.[1]

*Ordered*, That the act passed in pursuance of the resolutions of 18 March, be referred to the Board of Treasury, and that the state of the Virginia troops in the continental army be referred to the Board of War.

The committee, to whom was re-committed their report on the letter, of 26 July, from Major General Greene, brought in another report.

Also the committee on the letter, of 12 July, from John Bradford brought in a report.

The Committee on the letter from John Bradford Esq$^{r}$, dated Boston 12$^{th}$ July 1780,

Report,

That in their opinion the directions contained in the resolution of Congress of the 11 May 1778 to the Board of War at Boston "to lodge the nett proceeds of the sale of the *Nostra Signora del Carmo e S$^{t}$ Antonio* and her cargo in the public funds of these United States and to transmit an exact acco$^{t}$ thereof to the Committee of foreign affairs" was sufficiently explicit for indemnifying the Board, had they placed the amount of said proceeds in the Loan Office which was the only public fund of the United States in Boston from whence they were directed to transmit an exact account.

That it appears the Board were conscious the deposit ought to have been made there from M$^{r}$ Bradford's information that they applied to Nathaniel Appleton Esq$^{r}$ Loan Officer for his opinion what "the resolve meant as it did not expressly say the Loan Office" and M$^{r}$ Appleton's reply that "he thought there needed no explanation for it was evident Congress meant to have that money lodged in that office" was sufficient to remove their doubts even if there had been grounds for doubting. That the reasons assigned by the Board of War for declining to lodge the money as aforesaid because "the resolution did not expressly say the Loan Office" or "till they should write to Congress" or "unless M$^{r}$ Appleton would give his private note"

[1] This letter is in the *Papers of the Continental Congress*, No. 71, I, folio 393.

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were in the opinion of the Committee calculated for retaining the money in their own hands.

The Committee are therefore unanimously of opinion that as the Board of War engaged in the sale of the said vessel and cargo, and have charged commissions thereon, they are, according to the custom of Merchants and by every principle of justice responsible for their conduct and ought to make good the amount of the nett proceeds aforesaid according to the real value of money at the time when they received the said amount together with interest thereon to the time of repayment. And the Committee beg leave to submit to the consideration of Congress the following resolutions

*Resolved,* That the reasons assigned by the Board of War at Boston for declining to pay the nett proceeds of the sale of the Portuguese Snow *Nostra Signora del Carmo e S^t^ Antonio* and cargo into the hands of Nathaniel Appleton Esq^r^ Loan Officer in the State of Massachusetts Bay are inadmissible.

*Resolved,* That the said Board of War are liable and ought to make good the full value of the said nett proceeds according to the value of money at the time when they received the said nett proceeds.

*Resolved,* That John Bradford Esq^r^ be and he hereby is empowered and directed to demand and if necessary to take the most effectual measures for recovering from the said Board of War at Boston the amount of the aforesaid nett proceeds of the sale of the Snow and cargo above mentioned according to the value of money at the time when the Board of War received the same.

The Committee have also considered the article of commissions charged by the said Board of War, on the nett proceeds of the sales by auction or vendue of the said Snow and cargo, and on certain gold and silver which they received from on board said Snow, which are as follows—

| | | | |
|---|---|---|---|
| Commissions on £18461.13.3 the nett proceeds of William Cooper's acco^t^. sale of vessel and cargo at 5 p cent | 923 | 1 | 6 |
| On £1213.6 value stated by the Board of War, in gold and silver coined and in bullion at 5 p cent | 60 | 13 | 3 |

And are of opinion that in both cases the commissions are excessive but as the Committee are not acquainted with the custom of Merchants in Boston in such cases, they recommend that M^r^ Bradford be authorized and directed to propose to the Board of War a reference of those charges to be adjusted by the arbitration of indifferent persons and to allow such commissions as shall be awarded.

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The Committee further report as their opinion that the Board of War are not obliged to pay the above mentioned sum of £18461.13.3 but only the sum which shall remain, when they shall have deducted £2291.18 charged by them as paid on account of the said Snow, in their acco$^{t}$: dated and signed 20$^{th}$ May 1779, provided the said charges after examination shall be admitted, and so much more as shall be adjusted for their commission, which will establish the final nett proceeds: this appears to the Committee to have been the true intent and meaning of the resolution of Congress of the 17$^{th}$ June last.

Passed.

The remaining subjects of M$^{r}$ Bradford's letter respecting linen for Tent and Sod cloths the sale of sugar and a supply of money for equipping public Ships, the Committee beg leave to recommend for consideration of the proper Boards.[1]

Congress took into consideration the report of the committee on the letter, of 26 July, from Major General Greene; and after debate,

*Ordered*, That the further consideration thereof be postponed.

*Ordered*, That so much of Mr. J. Bradford's letter, of 12 July, as relates to linen for tent and sod cloth and sales of sugars, be referred to the Committee of Commerce ~~and Board of War~~; and that so much as relates to ~~the sale of sugar and~~ a supply of money for equipping public ships be referred to the Board of Admiralty.

The committee, to whom was referred the memorial of Joseph Basden, delivered in a report.

The Committee to whom was referred the memorial of Joseph Basden of the Island of Bermuda, report,

That, by various testimony (part of which is herewith submitted) not only the petitioner but the inhabitants of Bermuda in general appear to maintain the good disposition towards these United States which induced Congress in their proceedings of Nov$^{r}$ 22$^{d}$ 1775 and

[1] This report, in the writing of Henry Laurens, is in the *Papers of the Continental Congress*, No. 19, I, folio 403. It is indorsed: "August 24, 1781, referred to Mr. Sherman, Mr. Duane, Mr. Clymer."

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July 24 1776 to consider them in a friendly or at least a neutral relation.

That humanity and policy more than the mutual commercial interest which is mentioned in the first proceedings above alluded to, seem to plead for a continuance of that same relation.

That the inhabitants of Bermuda encouraged by the terms of the 5th and 6th articles of the treaty of alliance between his most Christian Majesty and these United States have forborne acts of hostility against the subjects of his most Christian Majesty in like manner as against the people of these States.

That a vessel commanded by the petitioner has been taken at the Island of Turks Island by a French Frigate, and others are continually liable to the same fate, whereby the foundation of commercial intercourse between Bermuda and these States as it was regulated in Nov.r 1775 will be destroyed, Wherefore, your Committee submit to Congress the following Resolution

*Resolved*, That the case of the Sloop *Kitty* commanded by Joseph Basden and captured by a French Frigate be communicated to the Honbe the Minister plenipotentiary of France~~, and that the Situation of the Inhabitants of Bermuda in general be recommended to his attention for such Representations as he may judge proper to make thereon to his most Christian Majesty~~.[1]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, AUGUST 5, 1780

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of the Board of War, a warrant issue on George Brooke, treasurer of the commonwealth of Virginia, in favour of Ephraim Blaine, commissary general of purchases, for sixty thousand dollars (part of the monies raised in the said commonwealth for the use of the United States) for the use of his department; and for which he is to be accountable.

[1] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, I, folio 213.

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That on the application of the Board of War, the following warrants issue, in favour of Benjamin Flower, commissary general of military stores; and for which he is to be accountable, viz.

One on Thomas Smith, commissioner of the continental loan office for the commonwealth of Pensylvania, for thirty thousand dollars to defray the expenses of Captain Irish, who is to be employed as a commissary of military stores in Virginia; and

One on George Brooke, treasurer of the commonwealth of Virginia, for two hundred thousand dollars (part of the monies raised in the said commonwealth for the use of the United States), to enable Captain Irish to carry on the business of a laboratory to be established in Virginia.[1]

TREASURY OFFICE *August 1, 1780*

The Board having considered the letter of William Gibbs Esq.r one of the Commissioners of the Continental Loan Office for the State of South Carolina dated the 24th ult.o referred to them by Congress beg leave to report,

That no determination or indemnity can at present be given respecting the application of the monies received into the Loan Office aforesaid, and ought to be deferred until the accounts of said Office shall be exhibited for settlement, and it shall appear how and to what purposes the monies loaned as aforesaid have been expended, and that so soon as Congress shall determine where the Loan Offices for the States of South Carolina and Georgia shall be held, it will be proper to furnish the said Loan Office for the State of South Carolina with certificates for the purposes set forth in the letter above mentioned.

*Ordered,* That a warrant issue on the treasurer, in favour of William Gibbs, commissioner of the continental loan office for the State of South Carolina, for twenty thousand dollars, for contingent expences of the said loan office; and for which he is to be accountable.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 461.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 459.

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That on the application of Messrs. G[eorge] Walton, E[dward] Telfair and W[illiam] Few, delegates for the State of Georgia, a warrant issue on the treasurer in their favour, for thirty thousand dollars; for which the said State is to be accountable.[1]

Congress resumed the consideration of the report on the letter of July 26th, from Major General Greene; Whereupon,

*Resolved,* That the absolute refusal of Major Gen. Greene, at this important crisis, to act under the new arrangement of the quarter-master general's department, has made it necessary that the office of quarter master general be immediately filled.

*Resolved,* That the *Commander in Chief be and he hereby is authorized and empowered* to appoint a Quarter Master General.

*Resolved,* That the Commander in Chief be directed to inform Major General Green that the United States have no further occasion for his services, and that it is expected he will proceed immediately to the settlement of his accounts.[2]

*Ordered,* That the farther consideration of the report be postponed.

Congress took into consideration the report of the committee on the letter of the 30 June last, from Brig. Gen. Moultrie; Whereupon,

*Resolved,* That whenever Congress shall be properly notified of the breach of parole given by any citizen of the United States, as a prisoner of war to the enemy, and the circumstances relating to the same shall be ascertained, Congress will take such order thereon as the law of nations and the rules of war shall require, and that in the mean time there is no cause to apprehend, from any such instance said to have happened, that prisoners who have duly observed their

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 467.

[2] This report, in the writing of John Henry, is in the *Papers of the Continental Congress*, No. 19, II, folio 453.

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paroles can, upon any just principles, incur the danger of suffering by means of the misconduct of any other.

*Resolved,* That the paragraph in Brigadier General Moultrie's letter, of the 30 June last, which relates to the distressed situation of the American prisoners in South Carolina, be referred to the committee on General Washington's letter, of the 10th, to report thereon as soon as may be.

*Resolved,* That Captain George Turner be discharged from the office of commissary of prisoners, and that he deliver to Brigadier General Moultrie the bills of exchange which were given to him by Major General Lincoln, and that Brigadier General Moultrie, deliver the said bills back to Mr. Abraham Livingston, the drawer, taking his receipt, and make return of the amount of the said bills to the Board of Treasury ~~and be accountable for the same.~~

*Resolved,* That Brigadier General Moultrie be, and hereby is, authorized to appoint a suitable person to act as commissary of prisoners in Charlestown, and return the name of the person appointed to Congress for their approbation, if they shall judge proper.

On motion of Mr. [John] Armstrong, seconded by Mr. [Nathaniel] Folsom,

*Resolved, unanimously,* That Congress proceed to the election of a quarter master general:

Congress accordingly proceeded to the election, and the ballots being taken, Mr. Timothy Pickering was elected.

*Resolved,* That a committee of three be appointed to consider and report the ~~pay and~~ terms on which Timothy Pickering, esq. shall serve as quarter master general:

The members chosen, Mr. [Roger] Sherman, Mr. [Artemas] Ward, and Mr. [Abraham] Clark.

Congress took into consideration the report of the committee, appointed to take into consideration the state of South Carolina and Georgia; Whereupon,

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*Resolved,* That the Commander in Chief be informed, it is the sense of Congress, the land and naval forces, as well of his Most Christian Majesty, as of these United States, or such part thereof as he shall think necessary, be employed in the manner, and at the time that shall appear to him most convenient for the expulsion of the enemy from their several posts, in the States of South Carolina and Georgia, and that he concert with the officers commanding the fleet and army of his Most Christian Majesty, the proper measures for this purpose, and carry such measures into execution, so as not to interfere with any plan of operations formed against the enemy, as the more immediate objects of the present campaign.

That the Commander in Chief (if he shall think it necessary) concert with the proper officers and ministers, such plan of operations to be undertaken by any other of his Most Christian Majesty's forces, or by the forces of his Catholic Majesty now combined in the West Indies, or to be drawn from the province of Louisiana, or elsewhere, as may either immediately, or in their effect, facilitate or assist the proposed enterprize.

That Congress will, so soon as they shall be properly informed by the Commander in Chief, make the necessary requisitions from the states for supplies, and afford every other aid and assistance in their power for promoting and effectually prosecuting the undertaking.

That the recruits now raising in the State of Virginia, for filling up their quota of continental troops, be marched as soon as possible to join the southern army, under the command of Major General Gates.[1]

*Ordered,* That the committee have leave to sit again.

[1] This resolution was also entered in the manuscript Secret (Domestic) Journal. The report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 20, II, folio 399.

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*Ordered,* That the Board of Treasury discharge the bill of exchange drawn by O. Pollock, 20 January, 1780, on the Committee of Commerce, in favour of William Pickles, by a European bill of exchange for the amount, viz. six thousand one hundred and forty six Spanish milled dollars.

The committee on the letter, of 10 July, from General Washington, delivered in a report.

The committee appointed to report the terms on which T. Pickering esq. shall serve as quarter master general, brought in a report; Whereupon,

*Resolved,* That Timothy Pickering, esq. having been appointed quarter master general upon an extraordinary emergency, be continued a member of the Board of War; but that the exercise of all his powers at the said board, and his pay as a member thereof, be suspended during such time as he shall continue quarter master general:

That, while he holds the office of quarter master general, he have the rank of colonel, and the pay and rations of a brigadier general, over and above the pay allowed the quarter master general in the late arrangement of the quarter master's department.

The Board of Admiralty, to whom was referred the petition of David Lockwood, delivered in a report, which was read.

ADMIRALTY OFFICE *Augt. 2d. 1780.*

The Board of Admiralty to whom the petition of David Lockwood was referred, Report that there is no place in the Department of the Navy, in which he can be employed.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of the Board of War, accompanied with an estimate approved by the said Board, a warrant issue on the treasurer in favour of Samuel Hodgson, assistant commissary general of military stores, on account

[1] This report is in the *Papers of the Continental Congress*, No. 37, folio 280.

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of Colonel B. Flower, commissary general of military stores, for two hundred thousand dollars, to be applied in the department aforesaid; and for which the said B. Flower is to be accountable.

*Ordered,* That the Board of Treasury pay the sum of two thousand five hundred and eleven livres, twelve sols and six deniers, being the balance of the honorable J. Adams' account, adjusted by the chambers of accounts out of the bills of exchange drawn at sixty days sight on the honorable B. Franklin, in pursuance of the resolution of Congress, of the 19th day of May last.[1]

Adjourned to 10 o'Clock on Monday.

### MONDAY, AUGUST 7, 1780

A letter, of 3d, from General Washington; and one, of the same date, from the committee at headquarters, were read.

A letter, of this day, from Lieutenant Colonel J. G. Deriks, was read:

*Ordered,* That it be referred to the Board of War.

A letter, of this day, from G. Bond was read.[2]

A letter, of 6th, from Mr. R. Izard was read:[3]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr [Thomas] McKean, Mr. [James] Lovell and Mr. [James] Madison.

A representation of Lieutenant de Beaulieu was read:[4]

*Ordered,* That it be referred to the Board of War.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 455.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 69; the letter from the Committee at Headquarters is in No. 39, I, folio 211, and is transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 43; Diriks's letter is in No. 78, VII, folio 297; that of Bond is in No. 78, IV, folio 1.

[3] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), IV, 21.

[4] This representation, undated, is in the *Papers of the Continental Congress*, No. 43, folio 25.

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A petition of Mons Lotbinier was read:[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Frederick A.] Muhlenberg, Mr. [Timothy] Matlack and Mr. [James] Lovell.

A petition of Captain H. Mitchell was read:[2]

*Ordered*, That it be referred to the Board of Admiralty.

A letter, of this day, from T. Pickering was read, notifying his acceptance of the office of quartermaster general.[3]

A report from the Board of Admiralty was read; Whereupon,

*Resolved*, That any officer who, by virtue of his commission or warrant, hath served, or hereafter shall serve, on board any ship of war of 20 guns and upwards, belonging to the navy of these states, and shall thereafter serve in the same rank on board any other vessel of war of inferior force, such officer shall receive the same pay as he was entitled to when serving in a ship of 20 guns and upwards; any resolution to the contrary notwithstanding.[4]

The Board of Admiralty, to whom was referred the letter of 28 July, from Gov. Lee, of Maryland, report,

That the *Trumbull*, *Deane*, *Confederacy* and *Saratoga*, are the only ships that are or will be ready for sea this season; that these ships, by an act of Congress of the 26th of July last, are put under the direction of Gen. Washington, to be employed in co-operating with the fleet of his Most Christian majesty, commanded by Admiral the Chevalier de Ternay, and therefore it is at present impracticable to comply with the request of the governor and council of the State of Maryland:[5]

[1] This petition, undated, is in the *Papers of the Continental Congress*, No. 78, XIV, folio 367.

[2] This petition, dated July 27, 1780, is in the *Papers of the Continental Congress*, No. 42, V, folio 197.

[3] This letter is in *The Papers of the Continental Congress*, No. 192, folio 17.

[4] This report is in the *Papers of the Continental Congress*, No. 37, folio 285.

[5] This report is in the *Papers of the Continental Congress*, No. 37, folio 287.

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*Resolved*, That Congress agree to the said report.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Charles Lee, secretary to the Board of Treasury, a warrant issue on the treasurer in his favour, for ten thousand dollars, on account of his salary.

That on the application of the Board of War, a warrant issue on the treasurer, in favour of Joseph Carleton, paymaster to the said Board, for three thousand and nine hundred and sixty dollars, to enable the said Board to reimburse what shall appear to be due to Lieutenant Colonel Ternant, for his expences at Havannah; and for which the said Joseph Carleton is to be accountable.

That on the application of Chaloner and White, agents for Jeremiah Wadsworth, late commissary general of purchases, a warrant issue on the treasurer, in their favour, on account of Jeremiah Wadsworth aforesaid, for seventy seven thousand dollars, to enable the said commissary general to make payment in part for a certain quantity of flour that appears to have been borrowed for the public service in September last, and for which no satisfaction hath been made; and for which the said Jeremiah Wadsworth is to be accountable.[1]

~~*Ordered*, That Peter Hysler be referred to the department of the quarter master general, for the settlement of his account set forth in his memorial.~~[2]

The Board of Treasury, to whom was referred the memorial of Peter Hysler, brought in a report:

*Ordered*, That the memorial be re-committed to the Board of Treasury.

The Board of Treasury, to whom was referred the memorial of Alexander Benstead, paymaster to the 10th Pensylvania regiment, brought in a report; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 469.

[2] "Reconsidered, 8th, and struck out, and a new order made."—Thomson's marginal note.

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That the said memorial with other papers on the same subject have been submitted to the consideration of the auditors of the main army who have examined into the loss therein set forth of one thousand nine hundred and eighty seven dollars, and have reported that it is the opinion of the Officers, who should be best acquainted with the matter, that the said Alexander Benstead was actually robbed of the sum aforesaid by Enoch Wright Adjutant to the same regiment. That Colº Hubley of the same regiment and Colº North of the ninth Pennsylvania Regiment have attested that they believe that the said Alexander Benstead was robbed of the sum aforesaid in the manner set forth in said memorial.

*Resolved,* That the memorialist be allowed to debit the United States with the sum of one thousand nine hundred and eighty seven dollars; and that he receive credit for the same on the settlement of his accounts.[1]

Congress took into consideration the report of the committee on the letter of the 10 July, from General Washington; Whereupon,

The Committee to whom was referred Genl Washington's letter of the 18th [10th] of July last, on the subject of an exchange of prisoners with the enemy and a provision for rendering easy and comfortable the situation of those of our troops who are in captivity. And also such part of Brigadier General Moultrie's letter of 30 June as relates to the situation of the troops who are prisoners in Charles Town, beg leave to report, That they concur in opinion with Genl Washington that a general exchange of officers and privates however strongly urged by motives of humanity, would at this juncture be highly impolitic, as in case of offensive operations against the enemy, the advantages that would result to them, by a reinforcement of their army for defence in consequence of a general exchange, would be vastly superior to those which these United States could possibly derive from it, by affording them a permanent augmentation, and by rendering every private they might thus gain, equal on the lowest scale of calculation, to two to be acquired by us. But this Committee are of opinion that these objections do not militate at least so forcibly, against an exchange confined to officers only; and that the

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 463.

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idea of such an exchange is favored both by policy and humanity, and if founded on the double basis of equality of Rank and of Composition, might, with a due attention to the order of Captivity, safely be rendered as extensive in its execution as the respective numbers of prisoners of war, and the Convention officers on parole at New York (Generals Phillips and Riedesel and their families excepted) will admit.

With respect to a suitable provision for the Troops of the United States who are prisoners of war at New York and Charlestown, the Committee are of opinion, that provision should be made for the subsistance of the officers, and to enable them to procure necessary cloathing: for making good the deficiency of the short rations allowed by the enemy to the privates: for a supply of medicines and proper diet for the sick, and for cloathing the privates in such manner as to keep them from suffering. That for these purposes a resident Commissary of prisoners in each of those places ought to be appointed on the part of these United States, to be allowed of by the enemy—thro' which Commissary the Officers and privates in captivity might derive the above mentioned supplies. That the Committee are of opinion, that except in such instances wherein a supply of Provisions may be necessary, specie should be remitted to such Commissaries respectively, to be raised by the sale of public Bills of Exchange, but they are further of opinion that an estimate for such supplies should be made and reported by the Board of War, with whom all returns of the Troops as well prisoners as others are officially lodged, and to whom the furnishing such supplies, and the means of furnishing the same should be committed ~~and that General Washington should be directed to take the necessary steps for securing.~~

Upon the whole the Committee beg leave to recommend to Congress the following Resolutions, to wit:

*Resolved,* ~~That it is at present inexpedient to extend the exchange of prisoners with the enemy to privates, but~~ That General Washington be and he is hereby authorized to effectuate an exchange of officers, either on the footing of equal rank, or on composition, or both, as the cases may respectively require, confining the exchange on that of composition for officers only, and having due regard to the



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order of captivity; such exchange to be rendered as extensive as possible in its execution, so as not only to include, on the part of the enemy, prisoners of war, but also the officers of the Convention troops, now on parole at New York ~~Generals Phillips and Riedesel and their respective families excepted.~~

*Ordered*, That the Board of War form and report an estimate of supplies for the subsistance and cloathing of the officers belonging to the armies of the United States, or who were taken in their service and remain prisoners of war, either at New York or ~~Charlestown~~ South Carolina, or elsewhere in these United States, and for making good to the privates, prisoners in those places, the deficiency of the short rations allowed to them by the enemy, and providing them with necessary cloathing; and also of the contingent charges that may be occasioned by sickness among the prisoners; and that they report the ways and means by which the above mentioned supplies may be best furnished.

*Ordered*, That General Washington take the necessary steps for establishing a resident commissary of prisoners at New York, and Major General Gates another in South Carolina or Georgia, to have the care of the prisoners in those places, according to the usage and custom of war.[1]

The committee on the state of South Carolina and Georgia brought in a farther report, which was taken into consideration; and thereupon,

*Resolved*, That the ~~sum of~~ balance ~~remainder~~ of ~~1,430,239~~ 8/9 the quota of ten millions of dollars, required of the commonwealth of Virginia by the act of Congress of the 19 May, 1780, be appropriated to the pay and subsistance of the continental army in the southern department, and that the executive of Virginia be requested to send on the same

[1] This report, in the writing of John Morin Scott, is in the *Papers of the Continental Congress*, No. 19, VI, folio 291.

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when collected, to Major General Gates, to be applied for the purposes aforesaid, as he shall direct.

That Bills of exchange to the amount of 100,000 Dollars drawn on ——— be sent to Maryland, Virginia and N° Carolina in the following proportions, 35,000 Dollars to Maryland, 35,000 Dollars to Virginia and 30,000 Dollars to N° Carolina, to be disposed of in order to raise an immediate supply of money for the southern army.

Postponed.

Congress having been informed, that many persons ~~in Virginia and North Carolina~~ in the southern department, from Virginia to Georgia, inclusive, have shewn a willingness to serve as volunteer horsemen, finding their own horses and accoutrements, ~~in the southern department~~ during the present campaign; and being also fully convinced of the necessity of having a body of horse in the field to serve in that department:

*Resolved*, That it be recommended to the executive of ~~Virginia and North Carolina~~ the said states, respectively, to encourage and promote the raising corps of volunteer horsemen, not exceeding 500 in the whole, submitting to Major General Gates the number that shall be raised in each state, and that they be authorized to give the following assurances on behalf of Congress:

That officers and privates, so serving as volunteer horsemen in the southern department, during the present campaign, shall be intitled to the same pay and rations as officers and privates of the continental light dragoons, with an addition of one-sixth of a dollar in specie, or other money equivalent, per day, for the use of their horses; such pay, rations, and allowance, to commence from the time of their arrival at head quarters, or joining any detachment of the southern army, by order of Major General Gates; provided that such horsemen shall engage to serve during the campaign, or at least for the term of four months, after they shall join the army, or a detachment thereof, unless sooner discharged.

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That, if any horses belonging to such volunteers shall be killed or unavoidably lost, while in actual service, Congress will credit the State to which the owners of such horses belonged for the value; provided, that such horses shall have been properly valued, on oath, agreeably to the laws of the said states, as in cases of horses impressed, and that the valuation do not exceed one hundred dollars in specie for one horse.[1]

*Ordered,* That the remainder of the report be postponed.

On motion of Mr. [Timothy] Matlack, seconded by Mr. [Roger] Sherman,

*Ordered,* That the Medical Committee report as soon as may be, the state of the military hospitals within the State of Pensylvania, specifying particularly the number of physicians, surgeons, mates, matrons and attendants residing in Pensylvania, and the places they are employed in, and also the number of the sick.

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, AUGUST 8, 1780

The delegate of Rhode Island, &c. laid before Congress a letter, of 22d July, from Governor Greene, which was read:[2]

*Ordered,* That it be referred to the Board of Treasury.

A memorial of W. Bingham was read:

*Ordered,* That it be referred to the Board of Treasury; and that the Committee of Commerce transmit the accounts of the memorialist, which were referred to them, to the Board of Treasury for settlement.

A memorial of Captain T. Morris was read:[3]

*Ordered,* That it be referred to the Board of War.

[1] This report, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 20, II, folio 400. It is indorsed by Thomson: "Delivered Aug. 7, 1780; first and last paragraphs passed Aug. 7, 1780; 2d postponed."

[2] This letter is in the *Papers of the Continental Congress*, No. 64, folio 478.

[3] This memorial, undated, is in the *Papers of the Continental Congress*, No. 41, VI, folio 189.

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A letter, of 1st, from the Board of War was read:

*Ordered*, That it be referred to the committee on the letter, of 8 June, from the Board of War.

The Board of War, to whom was referred the memorial of W. Clajon, brought in a report; Whereupon,

AT A BOARD OF WAR, *August 5. 1780*

Present Col. Pickering Mr. Peters Col. Grayson

In the case of Mr. Clajon the Board beg leave to state the following facts. That on the sixteenth day of June 1775 Congress fixed the pay of the General's secretary at 66 dollars per month and that of the Secretary of a Major General acting in a separate department at thirty three dollars per month, that on the 29 of July following the pay of a major was fixed at 33⅓ dollars per month. That on the fifth day of June 1776, R. H. Harrison Secretary to the Commander in Chief was vested with the rank of Lieut: Colonel. That it was the common practice at those periods to determine the number of rations Staff Officers were entitled to, by the quantum of the pay respectively, which was usually the same with that of some officer in the line. That the Secretary to the Commander in Chief with the rank of Lieut: Colo. is entitled to but five rations; and the pay fixed for a Major General's Secretary being originally but that of a Major, the Board are of opinion, that four rations only should be allowed him, that nevertheless as no objections have ever been made to Gen[l] Gates' allowance of six rations to Mr. Clajon, he should be considered as entitled thereto untill this time. The Board do not think it expedient that any specific sum should be allowed for putting his chaise in a condition to carry him so long a journey tho' the proposed repairs of it seem necessary for that service.

The Board therefore beg leave to report

*Ordered*, That the sum of 14,000 dollars be paid to William Clajon, secretary to Major General Gates, on account, to enable him to proceed to join the southern army, and for his pay and subsistance money, up to this day.

*Resolved*, That in future he be allowed four rations, the value of three of them to be paid him in subsistance money, agreeably to the resolution of the 18 August, 1779.[1]

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 481.

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The Board of War, to whom was referred the memorial of Lieutenant Daniel Broadhead, brought in a report; Whereupon,

AT A BOARD OF WAR, *August 8. 1780*

Present Mr Peters Col Grayson

The Board having considered the memorial of Lieut: Daniel Broadhead are of opinion that the facts therein stated, as to his being entitled to rank as Captain are true, but from whatever cause his want of actual promotion arose, he can have no proper claim on the United States, but for his pay as Lieutenant to the time of his release from captivity, especially as another officer was appointed in his stead, as Captain, and received pay from the United States in consequence of such appointment. From the time of his applying to the State to enter again into service he is entitled to half pay as Captain agreeably to the resolution of Congress of Novemr 24, 1778, until the date of the resolve making supernumeraries of all officers in his situation at that time he became entitled to the allowance made to supernumerary officers. As he cannot now receive the Commission of Captain the whole of his demand is matter of account and proper for the consideration of the Treasury Board who will no doubt be of opinion with the board that he should be paid the specie he expended for his support in like manner with other officers whose claims on this account have been allowed by Congress. The Board therefore beg leave to report

*Ordered*, That the said report, with the memorial of Lieutenant Daniel Broadhead, be referred to the Board of Treasury.[1]

The Board of War, to whom was referred the letters of 20 July, from Gen. Washington and Brigadier Gen. Maxwell, report,

"That hitherto, when an officer resigned his commission in our army, he also resigned all pretensions to any rewards or benefits arising from his appointment; nor would it be politic or just that officers quitting the service, before the termination of the war, should receive the like rewards with those

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 489.

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who continue in service until it is brought to a period: it is however consistent with the intention of Congress, as expressed in the resolution of the 10th day of April last, that officers whose resignations are accepted by Congress, after that resolve, should enjoy all the benefits accruing therefrom, as will appear by the proviso at the close of the resolution, the terms whereof clearly comprehending Brigadier General Maxwell's case, the Board conceive no further act of Congress necessary";[1]

*Resolved*, That Congress agree to the said report.

The Board of Admiralty, to whom was referred the petition of Captain Henry Mitchell, report,

"That the vessel and cargo mentioned in the said petition, as having been seized by Captain Nicholson, of the continental frigate *Deane*, being libelled in the maritime court in the State of Massachusetts Bay, is in course of procedure to bring the legality of the capture to a decision, and therefore, it is ~~the proper way in which the merits of Mr. Mitchell's petition and cause should be determined~~ inexpedient for Congress to interfere in the matter":[2]

*Resolved*, That Congress agree to the said report.

A letter, of 1, from Brigadier Muhlenberg, was read:

*Ordered*, That it be transmitted to the Board of War.

A letter, of this day, from H. Hollingsworth, was read;[3] Whereupon,

*Ordered*, That the Board of Treasury enquire into the circumstances of the supposed forgery of Robert Anderson's name to a receipt, offered as a voucher, in support of the accounts of Henry Hollingsworth, and report to Congress.

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 147, V, folio 487.
[2] This report is in the *Papers of the Continental Congress*, No. 37, folio 289.
[3] This letter is in the *Papers of the Continental Congress*, No. 78, XII, folio 55.

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WEDNESDAY, AUGUST 9, 1780

A letter, of June 3d, from Mr. de Francey, agent of Mr. de Beaumarchais, was read:

*Ordered*, That it be referred to the Committee of Commerce.

A representation and petition of G. Bunner and others was read:[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Thomas] Bee, Mr. [George] Walton and Mr. [Nicholas] Van Dyke.

A report from the Board of War was read, respecting the department of the commissary of military stores; and after debate,

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Roger] Sherman, Mr. [Ezekiel] Cornell and Mr. [Timothy] Matlack.

A letter, of 7, from President Reed, was read, enclosing the proceedings of the supreme executive council of Pensylvania on the case of sundry artificers.[2]

Congress resumed the consideration of the report of the committee on the state of South Carolina and Georgia;

And on a motion by Mr. [George] Walton, seconded by Mr. [Thomas] Bee—

That the Treasury board be directed to prepare bills of exchange, of suitable denominations, upon the honorable Benjamin Franklin esquire, Minister plenipotentiary at the Court of Versailles for ~~fifty~~ one hundred thousand dollars in specie; ~~and upon the honorable John Jay, Esquire, Minister Plenipotentiary at the Court of Madrid for another fifty thousand dollars in specie all~~ payable at ninety days sight; and that the same be transmitted to Joseph Clay Esquire, deputy paymaster General in the Southern Department, to be by him offered for sale in ~~the commonwealth of Virginia~~ Maryland and the States to the Southward thereof, and the proceeds be employed in aid of the

[1] This representation and petition, undated, is in the *Papers of the Continental Congress*, No. 43, folio 55.

[2] This letter and enclosure are in the *Letters to Washington*, No. 95, folio 252.

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military chest in that Department under the direction of Major General Gates.[1]

That the Board of Treasury be directed to prepare bills of exchange of suitable denominations upon the honourable Benjamin Franklin, minister plenipotentiary at the Court of Versailles, for one hundred thousand dollars in specie.[2]

The yeas and nays being required by Mr. [Roger] Sherman—

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Lovell, | ay | div. |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Sherman, | no | |
| B. Huntington, | no | |
| *New Jersey,* | | |
| Mr. Houston, | ay | * |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| Muhlenberg, | ay | |
| Matlack, | no | |
| Ingersol, | ay | |
| *Delaware,* | | |
| Mr. M'Kean, | ay | ay |
| Vandyke, | ay | |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. J. Jones, | ay | ay |
| Madison, | ay | |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Laurens, | ay | ay |
| Bee, | ay | |
| Kinloch, | ay | |
| Motte, | ay | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |

So it was resolved in the affirmative.

*Resolved,* That the bills be made payable at ninety days sight.

[1] This motion, in the writing of George Walton, is in the *Papers of the Continental Congress,* No. 36, IV, folio 235.

[2] This motion and vote were also entered in the manuscript Secret (Domestic) Journal.

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A motion being made for the sale of the said bills, and appropriation of the money arising from the sale:

*Ordered*, That it be referred to the Board of Treasury.

The committee to whom was referred the letter from the Hon. Mr. Izard, late commissioner to the court of Tuscany, brought in a report, which was read; Whereupon,

The Committee to whom was referred the letter from the hon^ble^ M^r^ Izard late Commissioner to the Court of Tuscany report

That Congress having determined on the 30^th^ of Dec. 1776 to send a Commissioner to the Court of Tuscany, did on the 7^th^ of May following elect M^r^ Izard to that office.

That on the 6^th^ of October 1777 M^r^ Izard acknowledged the receipt of his Commission and Instructions, and promised to use his utmost endeavors to accomplish the objects of them.

That on Dec. 18^th^ of that year, he informed Congress of his being dissuaded by the Tuscan Minister at the Court of France from proceeding to Tuscany, as from the State of politicks at that time, the Grand Duke would be greatly embarassed by such a step.

That on the 30^th^ of the same month December the Elector of Bavaria died, which, drawing the Emperor and the King of Prussia into a dispute, the politics of Tuscany were governed by those of Vienna, so that M^r^ Izard could not be admitted by the Grand Duke, except to reside at Florence as a *private Gentleman*. Upon which M^r^ Izard asked for the directions of Congress, as the Independence of the States of America had been then openly acknowledged by France.

That on Jan^y^. 28^th^. 1779 M^r^ Izard wrote to Congress lamenting that it was not in his power, from the political state of the affairs of Europe to do service to the United States in the Line of his Commission, and expressing his desire to return to America which he did not think himself at Liberty to do without the permission of Congress.

That on the 4^th^ of March following, he wrote again requesting for the same reasons as those mentioned in his former letter, the leave of Congress for his return.

Your Committee therefore propose that it be

*Resolved*, That Congress are convinced of the faithful endeavours of Mr. Izard to fulfil the objects of the commission to which he was appointed by them on the 7th of May,

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1777, and approve of the reasons which determined him not to proceed to the court of Tuscany.[1]

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, AUGUST 10, 1780

A letter, of 9, from Charles Pettit was read:

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [John] Armstrong, Mr. [Ezekiel] Cornell and Mr. [Roger] Sherman.

A letter, of this day, from H. Shiell was read:

*Ordered*, That a suitable passport be prepared.

A letter, of 9, from the Board of War was read, enclosing a letter from President Reed of Pensylvania, and sundry other papers:[2]

*Ordered*, That the same be referred back to the Board of War to report.

Another letter, of 9th, from the Board of War was read, enclosing a copy of a letter, of 3, from General Washington:[3]

*Ordered*, That it be referred to the Board of Treasury.

A report from the Board of Treasury was read, respecting public accountants:

TREASURY OFFICE *Aug^t 3^d 1780*

Whereas the "ordinance for establishing a Board of Treasury, and the proper officers for managing the Finances of these United States" dated July 30th 1779 declares it to be among the duties of the Commissioners of the Board of Treasury "To see that the public accounts are regularly stated in the Auditor's office, and all public Debtors brought to account, Frauds detected and Defaulters punished" and whereas it is of the utmost importance that these duties should be discharged with fidelity, the Board beg leave to report their proceedings on that part of these duties that respects the bringing public debtors to account in the execution thereof. Hav-

[1] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, III, folio 259.

[2] Pettit's letter is in *The Papers of the Continental Congress*, No. 192, folio 333; Shiell's letter is in No. 78, XX, folio 537; that of the Board of War is in No. 148, I, folio 153.

[3] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 161.

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ing waited perhaps too long in expectation that measures would be taken by the several accountants with the United States for a settlement of their respective accounts; unable to discover any disposition for that purpose, and having too much reason to be persuaded that there would be no settlement in due time without the exertions of the Board, they considered it necessary in the beginning of May last, to transmit the circular order N° 1 to the several accountants therein mentioned, which was accompanied by the circular letter N° 2, requiring their respective accounts to be produced at the Treasury Office on the first day of June ensuing—In order to induce a compliance with this just and necessary requisition the order N° 3, was published in the several newspapers.

Having received the answers of the several gentlemen mentioned in No 1, they deemed it expedient to suspend the operation of No 3, and extend the period of settlement to the first day of August current, which was communicated by their circular order and letter N° 4 and 5.

For the further information of Congress it may be necessary to represent, what has been the conduct of the several accountants in consequence of these proceedings of the Board; and what are the sums with which they are charged in the Treasury Books, which will appear from the under written State

| Names | Titles | Amount charged in doll$^{s}$. | What has been done in consequence of the Requisition of the Board. |
|---|---|---|---|
| Major G. Greene | Q. M. G$^{l}$ | 82,993, 276$^{60}$ | Not rendered accounts |
| S. Moylan | late. Q. M. G | 386, 000 | Not rendered accounts, that can be admitted |
| J. Wadsworth | L. C. G. P | 79,163, 733$^{30}$ | Not rendered accounts |
| W$^{m}$ Buchanan | L. C. G. P | 7,310, 030 | Not complied with the directions of the Board |
| C. Stewart | C. G. Issues | 533, 800 | Not rendered accounts |
| J. Potts | P. G. Hosp$^{tls}$ | 2,371, 044 | Rendered accounts |
| W$^{m}$ Shippin | D. G. H. | 628, 200 | Rendered accounts |
| Ja$^{s}$ Maese | late. C. G$^{l}$ | 4,167, 313$^{12}$ | Not rendered accounts |
| J. Wilkinson | C. Gen$^{l}$ | 1,180, 000 | Not rendered accounts |
| E. Hancock | D. pay M. G | 5,233, 333$^{30}$ | Informed the Board his accounts are ready and wait for conveyance |
| B. Flower | C. G. M. S. | 6,367, 629$^{52}$ | Not rendered his accounts |
| C. Biddle | L. D. Q. M. G | 70, 000 | Not rendered but allowed to the 20$^{th}$ of August for particular Reasons |
| T. Mifflin | late Q. M. G | 5,513, 721$^{12}$ | Rendered his accounts |
| T. Laury | late D. C. G | 126, 669 | Rendered accounts |
| R. Bache | Post. M. G$^{l}$ | 301, 675$^{45}$ | Rendered Accounts |

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From this Representation Congress will be enabled to judge and determine on the propriety of the proceedings of the Board, and to give such directions as they may esteem necessary for compelling such accountants to render their accounts as have hitherto delayed and refused.[1]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [William Churchill] Houston, Mr. [Thomas] McKean and Mr. [Nicholas] Van Dyke.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Patrick Ferrall, clerk in the auditor general's office, a warrant issue on the treasurer in his favour, for six thousand dollars, on account of his salary.

That a warrant issue on the treasurer, in favour of Abel Westfall, on account of ~~Major~~ Brigadier General Smallwood, for eighteen thousand dollars, for the purpose of paying for a waggon and three horses impressed by the said Brigadier General Smallwood, for which no satisfaction appears to have been made; and for which sum the said Brigadier General Smallwood is to be accountable.

The Board of Treasury, to whom was referred the memorial of D. Lockwood, report,

That provision is made for the case set forth in the said memorial by a resolution of the 3d instant, to which the said David Lockwood should have recourse.

The Board having considered the Extract of a letter from John Bradford Continental Agent at Boston dated the twelfth day of July last referred to them by Congress, beg leave to Report,

That the resolution of Congress of the twenty seventh of May last directing the sale of three hundred Hogsheads of Sugar was transmitted to the aforesaid John Bradford in a letter dated the thirtieth of the same month which for the satisfaction of Congress is herewith submitted to their consideration, that if any part of the

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 475.

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monies arising from such sale has been applied to the demands of the Navy Board, as is intimated in said Extracts, it has been without the consent of this Board and directly contrary to their instructions and the Resolution of Congress above mentioned.[1]

*Resolved*, That Congress agree to the said report.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of William Geddes, commissioner of accounts, a warrant issue on the treasurer in his favour, for twenty thousand dollars, on account of his salary.

That on the application of William Govett, commissioner of accounts, a warrant issue on the treasurer in his favour, for fifteen thousand dollars, on account of his salary.

That on the application of Cornelius Comegys, clerk in the Treasury office, a warrant issue on the treasurer in his favour, for six thousand dollars on account of his salary.[2]

That on the application of Samuel Hodgson, assistant commissary general of military stores, accompanied with an estimate approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Benjamin Flower, commissary general of military stores, for five hundred thousand dollars, to be applied in the department of military stores; and for which the aforesaid Benjamin Flower, commissary general of military stores is to be accountable.[3]

The committee, to whom was referred the memorial of the general officers, brought in a report, which was read.

TREASURY OFFICE *August 8. 1780*

Every order of Congress being complied with, there remains the sum of fourteen thousand two hundred and thirty one dollars and 24/54 to be disposed of, of which ten thousand three hundred and twenty five dollars and 24/54 are in the hands of Mr Smith Commr of

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folios 471–3.
[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 491.
[3] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 495.

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the Continental Loan Office for the Commonwealth of Pennsylvania, and three thousand nine hundred and six dollars in the hands of the Treasurer of Loans.[1]

Adjourned to 10 o'Clock to Morrow.

FRIDAY, AUGUST 11, 1780

A letter, of 9th, from President Rodney, of Delaware;

One, of 24 July, from Major General B. Lincoln; and

One, of 6th, from J[ohn] Mathews, one of the committee at headquarters, were read.[2]

A petition of James Boyd was read:

*Ordered,* That it be transmitted to the supreme executive council of Pensylvania.

The Board of Treasury, having prepared a sett of exchange for 4444 Mexican dollars, pursuant to the resolution of the 19th July, laid the same before Congress:

*Ordered,* That the said bills be signed by the President.

The Board of War, to whom was referred the extract of Mr. J. Bradford's letter of the 12th of July last, brought in a report; Whereupon,

*Resolved,* That Congress approve of the conduct of John Bradford, continental agent, in delivering to the deputy quarter master general at Boston, one hundred and eighty-eight pieces of ticklenburg, and thirty-seven pieces of oznaburgs and in delivering to Messrs. Otis and Henly eight bales of oznaburgs.[3]

On motion of Mr. [Roger] Sherman, seconded by Mr. [Thomas] McKean,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 493. It is indorsed: "Read August 10."

[2] Rodney's letter is in the *Papers of the Continental Congress*, No. 70, folio 761; Lincoln's is in No. 158, folio 447; Mathews's is in No. 39, I, folio 213, and a transcript is in Committee Book 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 43.

[3] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 491.

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*Ordered*, That the committee appointed on the 13th day of April last, to repair to headquarters, be discharged from further attendance there, and that they report their proceedings to Congress.

In passing this order, the yeas and nays being required by Mr. [John Morin] Scott,

| | | |
|---|---|---|
| *New Hampshire*, | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts*, | | |
| Mr. S. Adams, | ay | ay |
| Lovell, | no | |
| Ward, | ay | |
| *Rhode Island*, | | |
| Mr. Cornell, | ay | ay |
| *Connecticut*, | | |
| Mr. Huntington, | ay | ay |
| Sherman, | ay | |
| *New York*, | | |
| Mr. Scott, | no | no |
| *New Jersey*, | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| *Pennsylvania*, | | |
| Mr. Armstrong, | ay | ay |
| Muhlenberg, | ay | |
| Matlack, | ay | |
| *Delaware*, | | |
| Mr. McKean, | ay | ay |
| Van Dyke, | ay | |
| *Maryland*, | | |
| Mr. Hanson, | ay | ay |
| Henry, | ay | |
| *Virginia*, | | |
| Mr. Madison, | no | div. |
| Walker, | ay | |
| *North Carolina*, | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina*, | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| Motte, | ay | |
| *Georgia*, | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |
| Few, | ay | |
| Howly, | ay | |

So it was resolved in the affirmative.

On motion of the delegates for the state of New Jersey:

*Resolved*, That Joseph Borden, of Bordenton, Esq. commissioner of the continental loan office for the state of New Jersey, or the commissioner of the said office for the time being, be appointed commissioner, on the part of the United States, to endorse the bills of credit to be issued by the State of New Jersey, in pursuance of the resolutions of Congress

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of the 18 day of March last; and that, in case of the disability of the said Joseph Borden, or the commissioner of the said loan office for the time being, ~~Samuel Hillegas~~ Joseph Kirkbride, of Bordenton, aforesaid, be appointed to endorse the said bills.[1]

On motion of Mr. [William Churchill] Houston, seconded by Mr. [Edward] Telfair,

*Resolved*, That a committee of three be appointed to report the salaries of the judges of the court of appeals in cases of captures, and of the commissioners, clerks and others, employed in the several boards, and other officers acting immediately under Congress; that the same may be paid, as they become due, in specie, or other current money equivalent; and that after they are ascertained and fixed, no further advances be made on account of salary:

The members chosen, Mr. [William Churchill] Houston, Mr. [John] Hanson and Mr. [Roger] Sherman.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of George Bond, deputy secretary to Congress, a warrant issue on the treasurer in his favour, for eight thousand dollars, on account of his salary.

That another warrant issue on the treasurer in his favour, for six thousand dollars, to defray the contingent expences of the Secretary's office of Congress; and for which he is to be accountable.

A letter, of this day, from E. Forman and W. Denning, two of the commissioners of the Board of Treasury, was read.

A petition of Stephen Hazard and others was read:[2]

[1] This motion, in the writing of William Churchill Houston, is in the *Papers of the Continental Congress*, No. 36, IV, folio 507.

[2] Forman and Denning's letter is in the *Papers of the Continental Congress*, No. 78, IX, folio 325; Hazard's petition, dated Aug. 10, is in No. 42, III, folio 389.



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*Ordered,* That it be referred to the Board of War to take order.

The committee to whom was referred the letter from Mr. Izard, laid before Congress an account exhibited by Mr. Izard against the United States for his expences and salary, in which a balance of 52,113 livres is stated to be due to Mr. Izard; Whereupon,

*Resolved,* That the Hon. Henry Laurens be, and is hereby authorised and directed to pay to the order of the Hon. Ralph Izard, the sum of 52,113 livres tournois, out of such monies as he shall borrow, for the use of these United States, in Holland.[1]

On motion of Mr. [James] Lovell, seconded by Mr. [Timothy] Matlack,

*Resolved,* That the Board of Admiralty be informed that it is not the sense of Congress, by agreeing with their report on the petition of Henry Mitchell, that persons coming with their effects to settle in these United States, or persons removing their property from the dominions of Great Britain, who can, by protections previously obtained from any of the ministers of these United States, make it appear that their design was only to remove their property from the power of the enemy, or who are bringing arms, ammunition or military stores, to these United States, agreeably to the resolution of 23 of March, 1776, should be molested by unnecessary suits.

Congress took into consideration the report of the committee on the memorial of Joseph Basden; Whereupon,

*Resolved,* That the case of the sloop *Kitty,* commanded by Joseph Basden, and captured by a French frigate, be communicated to the honorable the Minister Plenipotentiary of France.

[1] This resolution was also entered in the manuscript Secret Journal, Foreign Affairs.

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On motion of Mr. [Ezekiel] Cornell, seconded by Mr. [William Churchill] Houston,

*Resolved,* That a committee of five be appointed to make an estimate of the expence of the present year, commencing the 1st of March last, and to provide ways and means for such further supplies as may be necessary: Also to make the like estimate for the ensuing year and make provision for supplying the same, and report to Congress.

The members chosen, Mr. [Ezekiel] Cornell, Mr. [Roger] Sherman, Mr. [Timothy] Matlack, Mr. [William Churchill] Houston and Mr. [John Morin] Scott.

The committee, to whom was referred the report of the Board of War on the department of military stores, delivered in a report.

Adjourned to 10 o'Clock to Morrow.

### SATURDAY, AUGUST 12, 1780

A letter, of 3, from Count de Rochambeau, was read:[1]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [James] Madison, Mr. [Samuel] Adams, and Mr. [James] Lovell:

*Ordered,* That Brigadier Gen. Moultrie make return of the person whom he shall appoint commissary of prisoners in Charlestown, to Major General Gates, or the commanding officer in the southern department, for his approbation; and that so much of the resolution of the 5th as requires Brigadier Gen. Moultrie to make return to Congress, be and is hereby repealed.

Congress took into consideration the report of the committee, to whom was referred the report of the Board of War, respecting the department of military stores, which the committee think should be approved; Whereupon,

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XVIII, folio 315. A draft for a reply, in the writing of James Madison, is on folio 319.

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Congress resumed the consideration of the report referred; wherein,

The Board of War report,

That, pursuant to the resolution of the 26 of July, they have enquired into the state of the department of military stores; and upon mature deliberation, propose to retain in service ~~until the farther order of Congress~~ one commissary general of military stores, one deputy commissary general, one commissary at Springfield, one commissary at Carlisle, one commissary in Virginia, and two or three other commissaries, or deputy commissaries, at some subordinate posts and stations:

They also propose to retain but one officer to each company of artificers, who, with his serjeants, will be competent to the proper direction of his men.

That the pay of a commissary of military stores be not less than 360, nor more than 1750 dollars per month:

That the pay of a deputy commissary, and of a conductor of military stores, be not less than 240, nor more than 1000 dollars per month:

That the pay of the clerks be fixed by the Board of War and Ordnance, in proportion to their respective merit and services:

That the pay of a captain of artillery artificers be 900 dollars per month; a captain lieutenant 750 dollars per month; a lieutenant 600 dollars per month; a serjeant from 150 to 200 dollars per month; a corporal, acting as foreman in any branch of work, the same pay as a serjeant:

Other corporals, drummers and fifers and privates, from 30 to 150 dollars per month:

That the pay of the commissaries, deputy commissaries and conductors, to be confined within the limits before-mentioned, be fixed according to their respective merit and services, by the Board of War and Ordnance:

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That the pay of the non-commissioned officers and privates be fixed according to their respective merit and services, within the limits before-mentioned, by the major part of their commissioned officers, who shall meet together monthly for that purpose:

That a daily ration of forage be allowed only to such commissaries and conductors of military stores, whose frequent travelling shall, in the opinion of the Board of War, require the same.

*Resolved,* That Congress agree to this report, and that the same be carried into execution until the further order of Congress.

Congress took into consideration the report of the committee on the memorial of the general officers; Whereupon,

The Committee appointed to consider the petition of the General officers of the army presented to Congress on the 3rd of August beg leave to Report.

*Resolved,* That the said general officers be informed that Congress have at no time been unmindful of the military virtues which have distinguished the army of the United States through the course of this war; and that it has been constantly one of the principal objects of their care, not only to provide for the health and comfort of the army, but to gratify their reasonable desires, as far as the public exigencies would admit:

That patience and self-denial, fortitude and perseverance, and the cheerful sacrifice of time, health and fortune, are necessary virtues which both the citizen and the soldier are called to exercise, while struggling for the liberties of their country; and that moderation, frugality and temperance, must be among the chief supports, as well as the brightest ornaments, of that kind of civil government which is wisely instituted by the several states in this union:

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[That it has been recommended to the several states to make compensation to the officers and soldiers to them respectively belonging, for the depreciation of their pay; and that Congress will take speedy measures for liquidating and paying what is due on that account, to officers and soldiers who do not belong to the quota of any state:

That from and after the 1st day of August, 1780, the army shall be entitled to receive their pay, as stated, before the first day of January, 1777, in the new bills emitted pursuant to the resolution of Congress of the 18 day of March last:

That the officers shall hereafter be allowed five dollars per month, in the said new bills, for each retained ration:

That the widows of officers who have died or shall hereafter die in the service shall be entitled to the amount of the half pay such officer after the war if living would have been entitled to by the resolution of the day of 1778, or if he leave no widow his orphan children, if he leave any, shall be entitled to the same.

Re-committed.

That the Board of War be directed to report to Congress a list of the officers not belonging to the quota of any state, with an account of the balance due to each, to make their pay good for past services, agreeably to the resolution of the 10th day of April last:

That such of the states as have not made compensation to their officers and soldiers, agreeably to the recommendation of the 17 of August 1779, be and they are hereby requested to do it as soon as possible:

~~That each general officer in the Line of the Army shall be entitled to a grant of land in like manner as is provided for officers of the Battalions by the resolution of the 16th of September 1776 in proportion to their pay to wit,~~

That the provision for granting land, by the resolution of September 16th, 1776, be and is hereby extended to the gen-

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eral officers, in the following proportion to wit: a major general 1100 acres; a brigadier general 850 acres:

That the officers of the army be furnished, as soon as possible, with two months' pay, on account, to relieve their present wants, mentioned in the memorial.][1]

*Ordered,* That the remainder be re-committed.

On motion of Mr. [Thomas] Bee, seconded by Mr. [Edward] Telfair—

*Ordered,* That the Minister of France be furnished with a copy of the resolution of the 5, respecting a plan of operations to be concerted for expelling the enemy from South Carolina and Georgia; and that he be informed that it is the desire of Congress that he will use his influence to cause such plan as the Commander in Chief may form, or the measures which he may recommend, to be undertaken by the forces of his Most Christian and Catholick Majesties, in consequence of the aforesaid resolves, to be carried into effect.[2]

Adjourned to 10 o'Clock on Monday.

### MONDAY, AUGUST 14, 1780

A letter, of 26 May, from the honorable J. Jay was read:[3]

*Ordered,* That it be referred to the Committee of Foreign Affairs to report.

A letter, of 12, from T. Pickering, Q. M. G. was read:

*Ordered,* That it be referred to the Board of Treasury.

A letter, of 3d, from Baron Steuben was read:

*Ordered,* That the same, together with the plan respecting the inspector's department be referred to the Board of War.

[1] This report is in the *Papers of the Continental Congress*, No. 21, folio 243. The part in brackets is in the writing of Roger Sherman, the remainder being in Samuel Adams's writing.

[2] This order was also entered in the manuscript Secret (Domestic) Journal.

[3] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, folio 707.

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A letter, of 7, from Udney Hay was read, with sundry papers enclosed:

*Ordered*, That the same be transmitted to T. Pickering, Q. M. G.

A letter from H. Hollingsworth, and a report of the Board of Treasury, pursuant to the order of the 8 instant, were read.[1]

TREASURY OFFICE *August 11th 1780*

In pursuance of a resolution of Congress of the 8th instant the Board of Treasury proceeded to inquire into the "circumstances of the supposed forgery of Robert Anderson's name to a receipt offered as a voucher in support of the account of Henry Hollingsworth."

Upon which enquiry the Board beg leave to report

That the voucher referred to, as set forth by the Commissioners of accounts in their report on Henry Hollingsworth's accounts in May last, appears by sufficient testimony to be a forged voucher.

It appears that the Honble the Board of War, did on the 31 January 1778 appoint Henry Hollingsworth and others to purchase Flour, wheat &c. for the purpose of establishing magazines.

John Stump (one of Henry Hollingsworth's clerks) declares on oath—That Henry Hollingsworth left the Head of Elk (where he resided) on the second day of February 1778 with intent as this deponent was informed, to purchase wheat, flour &c, that he, this deponent, in Henry Hollingsworth's absence, and about the 9th February 1778 received the appointment aforesaid, from the Board of War, that Henry Hollingsworth returned home on the 11th of the same month, at which time this Deponent delivered to Henry Hollingsworth the appointment aforesaid, and says it must have been the first information he could have had thereof.

That upon the return of Henry Hollingsworth on the 11th as aforesaid, he informed this Deponent of the purchase of the flour in question, and this Deponent further declares on his oath, that the flour in question was purchased by Henry Hollingsworth, on his own account, and before he received his appointment from the Board of War to purchase.

[1] Pickering's letter is in *The Papers of the Continental Congress*, No. 192, folio 21; Steuben's is in No. 164, folio 190; Hollingsworth's is in No. 78, XII, folio 59.

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Thomas Manuel (employed by H. Hollingsworth to assist in preparing his accounts for settlement) upon his oath declares That upon stating the accounts aforesaid he discovered that a voucher for the flour in question was wanting, that in order to "facilitate the passing of the accounts, and not knowing Mr Anderson, did, upon Mr Stump's writing a receipt, for the amount of Anderson's flour, affix the name of Robert Anderson to the same, and that without the knowledge of Henry Hollingsworth."

Herman Stump (Clerk to Henry Hollingsworth) upon his oath declares, that he was present at the writing of the receipt on the voucher in question, and to Robert Anderson's name being affixed thereto, by Thomas Manuel, and that Henry Hollingsworth did himself discover the forged voucher in the Chambers of Accounts at the time they were under liquidation.

The Commissioners of accounts in their report say

"That Henry Hollingsworth charges the United States with 530 barrels of flour purchased of Robt Anderson of Chester Town Maryland on the 6th April 1780. The account for this charge was produced with a receipt thereon to the Commissioners by Colo Hollingsworth as an authentic voucher." And that he the said Henry Hollingsworth has charged the United States with the sum of Four hundred and thirty-nine pounds ten shillings and ten pence more than he actually paid Robert Anderson for the aforesaid 530 barrels of Flour.

The Board of Treasury beg leave to close this report with the affidavit of Resolve Smith and William Geddes Commissioners in the Chambers of Accounts taken this day and filed in this Office with the other testimony in this Report mentioned.

"That William Geddes in presence of Resolve Smith, the other Commissioner of the Chamber of Accounts, and their Clerks first detected the forgery of Robert Anderson's name, to a receipt produced to them, by Henry Hollingsworth (as they verily believe) for a true and authentic voucher to his account—That the said William Geddes knowing the hand writing of Robert Anderson went immediately home and brought a receipt of the aforesaid Anderson's, which he had then in his possession, and compared the same with this voucher in presence of the other Commissioners, who were all convinced, this receipt and account was not signed by him the said Anderson: and having charged Henry Hollingsworth with the forgery in the

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Office, he declared to these deponents *then* and not before, that he knew, previous to his exhibiting this account and vouchers in the aforesaid office for settlement, that this receipt was not signed by Rob^t^ Anderson."[1]

A letter, of 17 July, and one of 25 of the same month, from President Weare of New Hampshire, were read. with sundry acts enclosed:

*Ordered,* That the same be referred to the Board of Treasury.

A letter, of 18 July, from Governor Nash of North Carolina, was read.[2]

The delegate of Rhode Island laid before Congress a letter, of 25th July, from Governor Greene of that State, giving information of the acts passed by the general assembly, in pursuance of the resolutions of 18 March last, &c.

*Ordered,* That it be referred to the Board of Treasury.

A letter, of this day, from the Board of War was read, enclosing an extract of a letter, of 28 July, from Governor Jefferson of Virginia.[3]

*Ordered,* That the same be referred to the Board of War to report.

A letter, of 8, from J[ohn] Mathews, one of the committee at headquarters, was read:[4]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Ezekiel] Cornell, Mr. [Timothy] Matlack and Mr. [Samuel] Adams.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 509.

[2] The New Hampshire letter of July 17 is in the *Papers of the Continental Congress*, No. 64, folio 114; the New Hampshire letter of July 25, on folio 118; the North Carolina letter is in No. 72, folio 87, and a duplicate of it was read October 18, 1780.

[3] The Rhode Island letter is in the *Papers of the Continental Congress*, No. 64, folio 482; that of the Board of War is in No. 148, I, folio 167.

[4] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 217; it is transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13^th^ April, 1780, folio 46.

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A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. Willie Jones, a delegate for the State of North Carolina, a warrant issue on the treasurer in his favour, for twelve thousand dollars, for which the said State is to be accountable.

That on the application of Peter R. Fell, commissioner of accounts, a warrant issue on the treasurer in his favour, for twelve thousand dollars, on account of his salary.[1]

That the following warrants issue in favour of Joseph Carleton, paymaster to the Board of War and Ordnance, to enable the said Board to purchase gunpowder; and for which the said Joseph Carleton is to be accountable, viz.

One on Nathaniel Appleton, commissioner of the continental loan office for the State of Massachusetts Bay, for twenty thousand dollars, in bills of credit emitted in pursuance of the resolution of Congress, of the 18th of March last, part of the bills aforesaid subject to the orders of the United States.

And one on the treasurer for eight hundred thousand dollars, in bills of credit emitted previous to the 18 of March last.

The Board having reported on the letter, of 22 July, from Governor Greene,

TREASURY OFFICE *August 12th 1780*

The Board having considered the letter from Governor Greene dated the twenty second of July last referred to them by Congress beg leave to report

That the warrants on the State of Rhode Island have not exceeded the quota of that State up to the 1st March last, for monies appropriated to the use of the United States, and that the most effectual expedient to supply the urgent demands for money, is for the State aforesaid to accede to the resolution of Congress of the 18th March last.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 497.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 499.

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*Ordered*, That the report be re-committed.

AT A BOARD OF WAR. *Aug. 11. 1780*

Present Mr. Peters—Col Grayson

The board having considered the motion of Mr. Clarke—referred to them by Congress—respecting the appointment of a Brigadier Genl in the room of Genl Maxwell resigned, beg leave to refer Congress to the list and state of General Officers they had the honor to lay before them in the report of June 29. 1780—from which Congress will judge whether there are or are not a competent number of Genl Officers in the army—In the particular case referred to the board, they beg leave to observe that Jersey has one Major Genl and three regiments—Should Congress deem another Genl Officer requisite, a list of the Colonels of that State is herewith transmitted, that they may select the person they shall choose to promote.

1. Matthias Ogden, Colo of the first New Jersey Regiment, Jany 1. 1777
2. Israel Shreve, Colo of the second New Jersey Regiment Jany 1. 1777
3. Elias Dayton, Colo of the third New Jersey Regiment Feby 9. 1776[1]

Adjourned to 10 o'Clock to Morrow.

## TUESDAY, AUGUST 15, 1780

A petition of John Patrick Lynch was read:[2]

*Ordered*, That it be referred to the Court of Appeals to report.

A letter from Lieutenant Beaulieu was read:[3]

*Ordered*, That it be referred to the Medical Committee.

The committee, to whom was referred the letter, of 8, from Mr. J[ohn] Mathews, with the copy of a letter from E. Blaine, commissary general of purchases enclosed, brought in a report; Whereupon,

*Ordered*, That a copy of the letter from E. Blaine, be referred to the delegates of the State of Pensylvania; and that

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folios 495 and 498. It was read, as the indorsement shows, August 14.

[2] This petition, undated, is in the *Papers of the Continental Congress*, No. 42, IV, folio 224.

[3] This letter, undated, is in the *Papers of the Continental Congress*, No. 78, IV, folio 11.

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they confer with the executive council of the State, upon the subject matter of the said letter, as far as respects that State, and report to Congress.

That the committee, appointed to confer with the managers of the bank in the city of Philadelphia be furnished with a copy of the said letter, and that they confer with them as soon as may be on that subject, and report to Congress.

That the quarter master general be informed of the representations of the council of the State of Massachusetts Bay contained in their letter to the delegates of that State, relative to the forwarding supplies to the army, from which will appear the necessity of carrying into immediate execution the resolution, of 15 July, so far as respects transportation.[1]

Pursuant to the order of the 7th, the Medical Committee reported a state of the military hospitals within the State of Pensylvania, as far as respects the prescriptive line.

Congress took into consideration the report of the Board of Treasury, on the motion respecting the sale of the bills ordered to be drawn by the resolution of the 9th, and the appropriation of the moneys arising from the sale: Whereupon,

*Resolved*, That the bills of exchange directed to be prepared by the resolution of the 9th, on the honorable Benjamin Franklin, minister plenipotentiary at the Court of Versailles, to the amount of one hundred thousand dollars specie, be filled up by the commissioner of the continental loan office for the State of Pensylvania, and made payable to Joseph Clay, deputy paymaster general in the southern department, or order:

That the said bills be transmitted to the said Joseph Clay, to be sold at par for [specie, or][2] bills emitted agreeably to the

[1] This report, in the writing of Ezekiel Cornell, is in the *Papers of the Continental Congress*, No. 19, I, folio 371.

[2] A marginal note says: "Inserted 16th."

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resolution of the 18th of March last, [~~to be disposed of for provisions and necessaries for the army~~][1] or for other monies, agreeably to the instructions of the Board of Treasury, or to be disposed of for provisions and necessaries for the army, on the best terms that can be obtained, for the United States:

That the monies arising from such sale, be applied under the directions of the commanding officer in the southern department, to the purchase of provisions and other supplies absolutely necessary for the subsistance of the southern army; and that the said Joseph Clay be, and hereby is, required to give regular and constant information to the Board of Treasury respecting the sale of the bills and the application of the monies aforesaid; and that the aforesaid Joseph Clay, deputy paymaster general in the southern department, be charged in the treasury books, with the aforesaid bills, amounting to the sum of one hundred thousand dollars specie.[2]

Congress took into consideration the report of the Board of Treasury, pursuant to the order of the 8th, and the letter from H. Hollingsworth: Whereupon,

*Resolved*, That all the papers relative to a supposed forgery in the vouchers of accounts of Henry Hollingsworth, mentioned in the order of the 20th of July last, with the names of the witnesses, be sent by the Board of Treasury to the executive of the State of Maryland, for the purpose expressed in the said order; and that the chamber of accounts, who examined the said vouchers, furnish the said Board with the names of such witnesses as they may think material.

The delegates for South Carolina laid before Congress a letter of this day from Governor Rutledge, which was read:[3]

[1] A marginal note says: "Transposed Aug. 16."

[2] These resolutions were also entered in the manuscript Secret (Domestic) Journal. The report is in the *Papers of the Continental Congress*, No. 136, IV, folio 507.

[3] This letter is in the *Papers of the Continental Congress*, No. 72, folio 524.

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*Ordered,* That it be referred to the Board of Treasury.

The committee to whom was referred the letter of the 9th from Charles Pettit, brought in a report: Whereupon,

*Resolved,* That the assistant quarter master general be allowed one or more clerks, as the nature of the service may require, and the Board of War shall approve.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Mr. [Roger] Sherman, a delegate for the State of Connecticut, a warrant issue on the treasurer in his favour, for six thousand dollars; for which the said State is to be accountable.

That on the application of Richard Philips, steward to the President of Congress, a warrant issue on the treasurer in his favour, for fifteen thousand dollars, for the use of the President's family; and for which the said Richard Philips is to be accountable.

That on the application of James Stevenson Clerk in the War office a warrant issue on the Treasurer in his favour for five thousand dollars on account of his salary.

That on the application of William Kinnon, copperplate printer, a warrant issue on the treasurer in his favour, for seven thousand dollars, on account of his wages; and for which he is to be accountable.[2]

The Board of Treasury, to whom was re-committed their report on the letter of Governor Greene, brought in a report: Whereupon,

*Resolved,* That the following letter be written by the President of Congress to Governor Greene:

SIR: Your letters of the 22 and 25 of last month, to the delegates of your State, have been laid before Congress; and, in answer thereto,

[1] This report, in the writing of John Armstrong, is in the *Papers of the Continental Congress*, No. 19, V, folio 133.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 503.

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I am to acquaint you, that Congress have a proper sense of the exertions of the State of Rhode Island and Providence Plantations, in the common cause:

That any disbursements which may be made by that State, for the use of the United States, beyond its quota, shall be reimbursed as soon as circumstances will admit:

That Congress depend on the several states for the necessary supplies of money for carrying on the war:

That the bills of credit to be emitted, in pursuance of the resolution of the 18th of March last, will yield a supply as soon as the several quotas of the continental bills of credit are collected to be destroyed:

That the quota of the aforesaid bills for your State shall be transmitted as soon as possible after a copy of the act complying with the resolution is received.

If taxes were laid, payable in new bills or specie, it would have a good tendency to introduce the said bills into circulation in full credit.[1]

A report from the Board of Treasury, on the memorial of John Sandford Dart was read; Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favour of Charles Pettit, ~~late~~[2] assistant quarter master general, on account of Major General Greene, late quarter master general, for one thousand four hundred and thirty dollars, to enable him to repay John Sandford Dart so much money as shall appear justly due to him, said to have been advanced by him for the public service; and for which the said Major General Greene, Q. M. G., is to be accountable.[3]

A letter, of this day, from the honorable the Minister of France was read.

Another letter, of the same date, from him was read:

*Ordered*, That this be referred to the Committee of Commerce.

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 505.
[2] Marginal note: "late, erased August 16."
[3] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 463.

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**WEDNESDAY, AUGUST 16, 1780**

The Committee of Foreign Affairs laid before Congress a letter, of 27 May, from the honble J. Jay, which was read.

A letter, of 28th, from the honble J. Jay, was read, informing that he had seen a resolution of Congress of November 8th, 1779, by which the late and former presidents are desired to lodge, as soon as they conveniently can, in the secretary's office, copies of all public letters by them respectively written during their presidentship: that after he had resigned the chair, and immediately on the election of his excellency Samuel Huntington, he delivered to him a book, containing copies of the public letters he had written during his presidentship, to be lodged in the secretary's office, which he presumes was done; and that it gave him concern, therefore, to find the resolution made to extend to him; and desiring that it may appear by the entry made on the receipt of this letter, that he had done that part of his duty in season, and without the express request of Congress.

Another letter from the honorable J. Jay was read, enclosing a copy of a letter, of 27 May, from W. Carmichael, at Aranjuez.[1]

A letter, of this day, from J. Wilkinson was read:

*Ordered*, That it be referred to the Board of War to consider and take order.

A letter, of 15, from Doctor W. Shippen was read.

A letter, of 14, from Major General A. McDougal was read:[2]

*Ordered*, That it be referred to the Board of Treasury.

[1] Jay's letter of May 27 is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 735; that of May 28 on p. 740; Carmichael's letter is on p. 736.

[2] Wilkinson's letter is in the *Papers of the Continental Congress*, No. 78, XXIV, folio 223; that of Shippen is in No. 78, XX, folio 541; that of McDougall is in No. 161, folio 107.

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The Court of Appeals in cases of captures by sea, to whom was referred the petition of John P. Lynch, sent in a report, which was read:

*Ordered,* That the report and petition be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Timothy] Matlack and Mr. [Artemas] Ward.

On motion of Mr. [Thomas] Bee, seconded by Mr. [Isaac] Motte,

*Ordered,* That a committee of three be appointed to enquire into the situation of the late garrison of Charlestown and other citizens of America now prisoners of war at that place, and to report ways and means for their relief and support in their present distress.

The members chosen, Mr. [Thomas] Bee, Mr. [Robert R.] Livingston and Mr. [Samuel] Adams.

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor Shippen, director general, and having gone through the evidence, defence and judgment of the court,

TREASURY OFFICE
*Aug^t 16^th 1780*

The Board of Treasury Report,

That on the application of Charles Pettit late Ass^t quarter Master General accompanied with an estimate approved by the Board of War, a warrant issue on the Treasurer in his favour on account of Nathaniel Greene late quarter Master General for sixty thousand one hundred and fifty three dollars and 30/90^th of a dollar, to be applied by the superintendent of the Boat department, and for which sum the said Nathaniel Greene late Q M. General is to be accountable [1]

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 521.

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**THURSDAY, AUGUST 17, 1780**

A letter, of 5, from Colonel C. Febiger was read:[1]

*Ordered*, That it be referred to the Board of War.

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE, *August 15th 1780*

The Board beg leave to report

That the escorts intrusted with the warrants drawn in pursuance of the resolutions of Congress of the 19th May and 29th June last on the Treasurer of the State of New York, Connecticut, Rhode Island, Massachusetts Bay and New Hampshire, have presented the warrants aforesaid to be discharged, and are returned with following answers of the respective Treasurers:

The Treasurer of the State of New York in his letter dated the fifth instant writes that he has paid the messenger all the money he could command, being three hundred nineteen thousand, one hundred and ninety one dollars in part of one of the warrants on him. The Legislature of that State having some time since authorized the Quarter Masters and Commissaries in that department to issue their certificates in discharge of the debts they have contracted and directed him to receive such certificates in payment of Taxes, and that he has already received one million of dollars in those certificates.

The Treasurer of Rhode Island says he has paid the escorts forty seven thousand ~~seven hundred and forty seven~~ nine hundred and nineteen dollr. and wishes it had been in his power to pay the whole.

The Treasurer of the State of Massachusetts Bay writes "I am sorry to inform you that it is not in my power to transmit the whole or any part of the two orders," and attributes his inability to the exertions of the State for sending the militia to cooperate with the allies.

The Treasurer of the State of New Hampshire writes that the amount of the warrant for three hundred and twelve thousand four hundred and fifty dollars (being the full proportion of the Ten Millions) was on the 16 June last by order of the President of the State sent on by Lieut: Colo. Henry Dearborn with orders to deliver the same to the Board of Treasury. The reason why the other

[1] This letter is in the *Papers of the Continental Congress*, No. 78, IX, folio 329.

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warrant cannot be paid will be given by the President of the State in his letter to the President of Congress. It may be necessary to observe that the sum above mentioned has been received by the Pay Master General.

Mr. Hillegas informs the Board "that the escorts have brought neither money nor letter from Connecticut, but say the Treasurer informed them that he would lay the matter before the Governor and Council of that State, and as soon as he was enabled to discharge the warrants, he would write this way."

The warrants on the State of Pennsylvania in pursuance of the Resolution of Congress of the 19th May and 29th June last, have also been presented for payment; for information on this subject, the Board beg leave to refer Congress to the letter from the President of the State herewith transmitted.

This representation will shew that no immediate supplies of money for the Treasury of the United States, are to be expected from the several States above mentioned.

The Board having considered that part of the letter from T. Pickering Quarter Master General dated the twelfth instant referred to them by Congress, which applies to the advance of money, beg leave to report

*Ordered*, That a warrant issue on the treasurer, in favour of Colonel T. Pickering, Q. M. G., for one million and fifty thousand dollars, to enable him to continue the business of transportation and the purchase of forage and camp equipage; and for which the said Colonel Pickering, Q. M. G., is to be accountable.[1]

TREASURY OFFICE *August 15, 1780*

The Board of Treasury report

That on the application of Samuel Hodgson Assistant Commissary General of Military Stores accompanied with an estimate approved by the Board of War, a warrant issue on the Treasurer in his favor on account of Benjamin Flower Commissary General of Military Stores for three hundred and eighty thousand dollars to be applied to the purposes mentioned in said estimate, and for which the said Benjamin Flower is to be accountable.

Postponed.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 517.

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That on the application of Francis Hopkinson Treasurer of Loans a warrant issue on the Treasurer in his favor for six thousand dollars on account of his salary.

Postponed.

The Board beg leave to submit to Congress an Extract of a letter from Major Gen: Lincoln dated Boston July 23d 1780 which accompanies his return of bills of exchange drawn on the President of Congress, on which they submit the following report,

*Resolved*, That the Board of Treasury be, and hereby are, authorised to honor, without further advice, such bills of exchange as shall, in the opinion of the Board, appear evidently to have been drawn by Major General Lincoln on the President of Congress, although not contained in any letter of advice, agreeably to the terms prescribed by the resolutions of Congress of the 23d of March and 10th of July last.

The Board of Treasury having considered the letters of his Excellency President Weare of New Hampshire dated the 17th and 25th ultimo, with the several acts of that State relative to supplies, referred to them by Congress beg leave to report

That as the President's letter of the 17th relative to supplies raised agreeable to the specific supplies called for by the resolution of Congress of the 25th of February last and for the raising of Troops to fill up the quota of that State in the field, it be referred to the Board of War. That a letter be written to President Weare by the Board of Treasury informing that the money sent by Lt: Col. Derborn has been received and carried to the credit of the State of New Hampshire.

That as President Weare's letter of the 25th ult: relates to the balance of the quota of that State up to the first of March last, drawn for in consequence of the resolution of the 29th of June last, this Board are of opinion, it is fully considered in their report of this date relative to warrants on the different States under similar circumstances

The Board having considered the letter from Governor Rutledge of the 15th inst: referred to them by Congress beg leave to report

That a warrant issue on George Brooke Treasurer for the State of Virginia for one hundred and fifty thousand dollars in favor of John Rutledge Esq: Governor of the State of South Carolina (being part of the monies raised in said State of Virginia, for the use of the United States) and for which sum the said State of South Carolina is to be accountable.[1]

Re-committed.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 513.

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*Ordered*, That so much of the report as relates to the letter of 15 from Governor Rutledge, be re-committed.

The committee to whom was referred the letter of 3d from the Count de Rochambeau, brought in a report: Whereupon,

*Resolved*, That Congress have a just sense of the vigilance and prudence of the commanders of the fleet and army of our ally, in taking the precautions mentioned in the letter of Monsieur the Count de Rochambeau, of the 3d of August, as well as of his attention to the ease and convenience of the militia of these states. The spirit, good order, and discipline of the troops under his command, deserve their warmest approbation.

The committee to whom were referred the petition of John Patrick Lynch, and the report of the court of appeals thereon, brought in a report; Whereupon,

*Ordered*, That John Patrick Lynch, now confined in the state's prison, as a prisoner of war, be discharged.

On motion of Mr. [Robert R.] Livingston, seconded by Mr. [Roger] Sherman,

*Ordered*, That a committee of three be appointed to devise means to prevent the farther issues of certificates by the officers of the staff departments of the army, to supply the same with money, and to carry into effect the resolutions of Congress, of the 18th of March last.

The members chosen, Mr. [Robert R.] Livingston, Mr. [Roger] Sherman and Mr. [William Churchill] Houston.

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor W. Shippen, director general; and some time being spent thereon,

TREASURY OFFICE *August 17, 1780*

The Board having considered the petition of Henry Hollingsworth referred to them by Congress Beg leave to Report,

That they are ready to proceed to hear Henry Hollingsworth aforesaid, on his appeal from the report of the Commissioners of Accounts.

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That so far as respects the supposed forgery they do not consider themselves authorised to enquire, or decide concerning it, without the particular instructions of Congress.[1]

Adjourned to 10 o'Clock to Morrow.

**FRIDAY, AUGUST 18, 1780**

A letter, of 17th, from Will. Palfrey, paymaster general, was read, with sundry papers enclosed:

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. [Ezekiel] Cornell, Mr. [James] Lovell and Mr. [John Morin] Scott.

A letter, of this day, from Governor J. Rutledge was read:

*Ordered*, That it be referred to a committee of five:

The members chosen, Mr. [Thomas] Bee, Mr. [Samuel] Adams, Mr. [John] Henry, Mr. J[oseph] Jones and Mr. [Timothy] Matlack.

A letter of S. J. Atlee was read:

*Ordered*, That it be referred to the Board of Treasury to take order.

A letter, of 8, from Thomas Cooke to Doctor Scudder was laid before Congress and read:

*Ordered*, That it be referred to the Board of War.

A letter, of 14, from the Board of Admiralty was read.[2]

A report from the Board of Admiralty was read; Whereupon,

ADMIRALTY OFFICE, *August 14th 1780.*

The Board of Admiralty beg leave to represent to Congress, that notwithstanding repeated written and verbal messages to John Nixon and John Maxwell Nesbitt, Esqrs, Continental Agents for Pennsylvania, they have not been able to induce them to exhibit

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 523.

[2] Palfrey's letter is in the *Papers of the Continental Congress*, No. 165, folio 557; Rutledge's letter is in No. 72, folio 528; Atlee's letter dated August 16, is in No. 78, I, folio 361; Cooke's letter is in No. 78, V, folio 499; the Board of Admiralty's letter is in No. 37, folio 307, a copy of the letter being in the *Marine Committee Letter Book, Continental Congress*, folio 316.

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their accounts, and as it is of importance that monies arising from the Sale of the Continental share of prizes should be immediately applied to answer the public exigencies, therefore the board beg leave to report the following motion:

*Resolved,* That it is not necessary any longer to continue John Nixon and John M. Nesbit, Esqrs. in their agency for prizes; and therefore,

*Resolved,* That the said John Nixon and John M. Nesbit, continental agents for prizes in the State of Pennsylvania, be discharged, and that they account, without delay, with the Board of Admiralty.

*Resolved,* That until the farther order of Congress, the Board of Admiralty, ex officio, take charge of and direct the disposition of all prizes which may be brought into the State of Pennsylvania.[1]

Congress resumed the consideration of the proceedings of the court martial on the trial of Doctor Shippen, director general, when a motion was made by Mr. [Timothy] Matlack, seconded by Mr. [William Churchill] Houston, as follows:

That the court martial having acquitted the said Doctor W. Shippen, the said acquittal be confirmed.

A motion was made by Mr. [Samuel] Adams, seconded by Mr. [John Morin] Scott, to strike out the words, "the said acquittal be confirmed," in order to insert, "*Ordered,* that he be discharged from arrest."

On the question shall the words moved to be struck out stand, the yeas and nays being required by Mr. [John] Henry,

| | | | | | |
|---|---|---|---|---|---|
| *New Hampshire,* | | | *Rhode Island,* | | |
| Mr. Folsom, | no | no | Mr. Cornell, | ay | ay |
| *Massachusetts,* | | | *Connecticut,* | | |
| Mr. Adams, | no | | Mr. Huntington, | no | |
| Lovell, | ay | no | Sherman, | no | no |
| Ward, | no | | B. Huntington, | no | |

[1] This report is in the *Papers of the Continental Congress,* No. 37, folio 291.

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| | | |
|---|---|---|
| *New York,* | | |
| Mr. Scott, | no | no |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | ay | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| McLene, | ay | |
| Muhlenberg, | no | |
| Matlack, | ay | |
| *Delaware,* | | |
| Mr. McKean, | no | no |
| *Maryland,* | | |
| Mr. Hanson, | no | no |
| Henry, | no | |
| *Virginia,* | | |
| Mr. J. Jones, | no | div. |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| Motte, | no | |
| *Georgia,* | | |
| Mr. Few, | no | * |

So it passed in the negative, and the words were struck out.

On the question to insert the words moved,

Resolved in the affirmative.

A motion was made by Mr. [Abraham] Clark, seconded by Mr. [Nathaniel] Folsom, to amend the motion, by inserting after W. Shippen, these words, "excepting that part of the 2d charge relating to his speculating in hospital stores, on which the court judge him highly reprehensible."

On the question to agree to this amendment, the yeas and nays being required by Mr. [Nathaniel] Folsom,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts,* | | |
| Mr. Adams, | no | no |
| Lovell, | no | |
| Ward, | no | |
| *Rhode Island,* | | |
| Mr. Cornell, | no | no |
| *Connecticut,* | | |
| Mr. Huntington, | no | no |
| Sherman, | no | |
| B. Huntington, | no | |
| *New York,* | | |
| Mr. Scott, | no | no |
| Livingston, | no | |
| *New Jersey,* | | |
| Mr. Fell, | ay | ay |
| Houston, | ay | |
| Clark, | ay | |

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| | | |
|---|---|---|
| *Pennsylvania,* | | |
| Mr. Armstrong, | no | no |
| McLene, | no | |
| Matlack, | no | |
| *Delaware,* | | |
| Mr. McKean, | no | no |
| *Maryland,* | | |
| Mr. Hanson, | no | * |
| *Virginia,* | | |
| Mr. J. Jones, | no | no |
| Walker, | no | |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Kinloch, | no | no |
| Motte, | no | |

So it passed in the negative.

The motion being amended to read,

The court martial having acquitted the said Doctor W. Shippen, *Ordered,* that he be discharged from arrest,

On the question to agree to this, the yeas and nays being required by Mr. [Nathaniel] Folsom,

| | | |
|---|---|---|
| *New Hampshire,* | | |
| Mr. Folsom, | no | no |
| *Massachusetts Bay,* | | |
| Mr. Adams, | ay | ay |
| Lovell, | ay | |
| Ward, | ay | |
| *Rhode Island,* | | |
| Mr. Cornell, | ay | ay |
| *Connecticut,* | | |
| Mr. Huntington, | ay | ay |
| Sherman, | ay | |
| B. Huntington, | ay | |
| *New York,* | | |
| Mr. Scott, | ay | ay |
| Livingston, | ay | |
| *New Jersey,* | | |
| Mr. Fell, | no | no |
| Houston, | no | |
| Clark, | no | |
| *Pennsylvania,* | | |
| Mr. Armstrong, | ay | ay |
| McLene, | ay | |
| Matlack, | ay | |
| *Delaware,* | | |
| Mr. McKean, | ay | ay |
| *Maryland,* | | |
| Mr. Hanson, | ay | * |
| *Virginia,* | | |
| Mr. J. Jones, | ay | ay |
| Walker, | ay | |
| *North Carolina,* | | |
| Mr. W. Jones, | no | no |
| Hill, | no | |
| *South Carolina,* | | |
| Mr. Kinloch, | ay | ay |
| Motte, | ay | |

So it was resolved in the affirmative.

A letter, of this day, from the Board of War was read:[1]

[1] This letter is in the *Papers of the Continental Congress,* No. 148, I, folio 173.

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*Ordered*, That it be referred to the Board of Treasury.
Adjourned to 10 o'Clock to Morrow.

SATURDAY, AUGUST 19, 1780

A letter, of 18, from Doctor B. Williams was read:
*Ordered*, That it be referred to the Board of Treasury.
A letter, of this day, from R. Peters was read:
*Ordered*, That it be referred to a committee of three:
The members chosen, Mr. [Thomas] McKean, Mr. [Robert R.] Livingston and Mr. [John Morin] Scott.

*Ordered*, That Mr Peters be informed that Congress is of opinion his presence at this time at the Board of War is of considerable importance, and that he ought to continue his service at that board; in a way which it is in his power to do consistent with the laws of his State in consequence of which he is now called out on Military Service; But that Congress nevertheless leave it to his own option how to act in the present case.[1]

A letter of this day, from Colonel T. Pickering, Q. M. G., was read: Whereupon,[2]

*Resolved*, That Major General Greene, late quarter master general, be and hereby is directed to furnish Colonel Pickering, quarter master general, with returns of all buildings, vessels and craft, horses, wagons, stores and articles, of what kind soever, in possession or under the direction of any officers or persons employed under him in his late department, and which are occupied on account of or belong to the United States; and also with full information in writing of all public contracts and purchases by them made, of which the terms have not been fully executed, or the services or articles contracted for or purchased have not been completely rendered or delivered:

[1] This motion, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 36, I, folio 87. It is indorsed by Thomson: "Mr. Clark's motion, seconded by Mr Henry August 19, 1780."

[2] This letter is in *The Papers of the Continental Congress*, No. 192, folio 25.

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That in the mean time he direct all officers and others employed under him, on the demand of any deputy or store-keeper appointed under the new plan for regulating the quarter master general's department, to deliver to such deputy or store-keeper, on their producing their appointments respectively, and the orders of the quarter master general to receive them, all the articles before enumerated, and any others in their possession or under their direction, which are occupied on account of or belong to the United States, together with the written evidences of the contracts and purchases aforesaid which yet remain unexecuted.

The Board of Treasury, to whom was re-committed their report on the letter of 15 from Governor Rutledge, brought in a report; Whereupon,

*Ordered,* That the Board of Treasury furnish Governor Rutledge, of South Carolina, with bills of exchange ~~from Thomas Smith, Continental Loan Officer for the State of Pennsylvania~~ drawn on the Honorable Benjamin Franklin, minister plenipotentiary from the United States at the Court of Versailles, at sixty days sight, to the amount of two thousand dollars, to be charged in specie to the said state of South Carolina.[1]

On motion,

*Resolved,* That the Board of Admiralty be and hereby are directed, to order the *Saratoga* to sail immediately and to obey such orders, and take charge of such despatches, as they may receive from the committee of conference with the Minister of France.[2]

A letter, of this day, from the Board of Admiralty, was read:[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 529. It was also entered in the manuscript Secret (Domestic) Journal.

[2] This resolve was entered only in the manuscript Secret (Domestic) Journal.

[3] This letter is in the *Papers of the Continental Congress*, No. 37, folio 295.

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*Ordered,* That it be referred to the Board of Treasury.

Adjourned to 10 o'Clock on Monday.

MONDAY, AUGUST 21, 1780

A letter, of 30 May, from honorable J. Jay was read.[1]

One, of June 4, from J. Gardoqui & Sons; and

One, of 23 May, from honorable J. Adams, were read.[2]

A letter, of 31 July, from J. Bradford was read:

*Ordered,* That so much thereof as relates to the purchase of bills for Captain Duarti, be referred to the Board of Treasury.

*Ordered,* That the Board of Treasury draw on Mr. John Bradford, continental agent for prizes in the State of Massachusetts Bay, for two millions of dollars.

A letter from S. Southwick, d[eputy] c[ommissary] g[eneral] of I[ssues] was read:[3]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Ezekiel] Cornell, Mr. [James] McLene and Mr. B[enjamin] Huntington.

A memorial of Mordecai Sheftall was read:[4]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [George] Walton, Mr. [Nathaniel] Folsom and Mr. [James] McLene.

A letter, of 16, from J[ohn] Mathews, in behalf of the committee at headquarters, with sundry papers enclosed, was read.[5]

[1] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 742.

[2] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 698.

[3] Bradford's letter is in the *Papers of the Continental Congress*, No. 78, III, folio 517; that of Southwick, dated August 5, is in No. 78, XX, folio 533.

[4] This memorial, dated August 21, 1780, is in the *Papers of the Continental Congress*, No. 78, XX, folio 629.

[5] This letter is in the *Papers of the Continental Congress*, No. 39, I, folio 220; it was transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 47.

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A letter, of 5, from the president and supreme executive council of the State of Pensylvania, was read, stating the proceedings of the said State, pursuant to the resolutions of Congress, agreeably to the recommendations of 17 and 23 June last.[1]

A report from the Board of Treasury was read; Whereupon,

The Board of Treasury Beg leave to represent, to Congress

That in their ordinance of the 30th July 1779 for establishing a Board of Treasury—there stands expressed

"That apartments be provided for the accommodation of the several officers of the Treasury, in the City or place where Congress shall hold their Sessions" It becomes the duty of the Board to inform Congress, that there are no apartments provided, nor have the Commissioners of the Treasury determined they have power to make such provision.

The Board have had notice to leave their present apartments in about four weeks from this date, whereupon they beg leave to submit the following Resolution

*Resolved,* That the Board of Treasury be empowered to rent apartments for the accommodation of the Treasury, and pay for the same in specie, or current money equivalent.[2]

*Ordered,* That so much of the report as relates to the letter, of 14, from Major General McDougal, which was referred to them, be referred together with the said letter to the Board of War.

The Medical Committee, to whom was referred the letter of Lieutenant Beaulieu, brought in a report; Whereupon,

The medical committee, to whom was referred the letter and account of Lieut Beaulieu of the late Count Pulaski's corps beg leave to report,

That upon examination it appears the said Lt Beaulieu was wounded in a skirmish at Monks Corner in South Carolina and made a prisoner of War by the enemy, but afterwards admitted on parole,

[1] This letter is in the *Papers of the Continental Congress*, No. 69, II, folio 258.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 525.

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That about that time he employed a Surgeon in the service of His Most Christian Majesty under whose care he so far recovered that he was enabled to travel to this city, the Surgeon attending him hither.

That some time after his arrival here he was informed that he ought to put himself under the care of one of the Surgeons of the military hospitals in the service of the U. States which he accordingly did, until his recovery, and now exhibits the enclosed account.

Lieu^t Beaulieu informs your Committee, that notwithstanding his utmost endeavours he could not get a Surgeon in the service of the U. States to take care of him, until he arrived at this place. What part of his travelling expences ought to be paid, the Committee cannot think themselves proper Judges, but as he exhibits a receipt from the French Surgeon for the sum 4840 doll^s they are of opinion it ought to be paid, they therefore submit the following Resolutions,

*Ordered*, That a warrant issue on the treasurer, in favour of Lieutenant Beaulieu, for the sum of four thousand eight hundred and forty dollars, to defray his expences for the surgeon under whose care he was for some time.

*Ordered*, That such part of his account as relates to travelling expences be referred to the Board of War.[1]

On motion of the delegates for New York,

*Resolved*, That Abraham Yates, jun. commissioner of the continental loan office for the state of New York, or the commissioner of the said loan office for the time being, be and hereby is appointed commissioner, on the part of the United States, to endorse the bills of credit to be issued by the State of New York, in pursuance of the resolutions of Congress of the 18 day of March last; and that in case of the disability of the said Abraham Yates, jun. or the commissioner of the said loan office for the time being, Abraham G. Lansing be appointed to endorse the said bills.

[1] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress*, No. 19, I, folio 257. It is indorsed: "passed: referred to the Board of War."

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Congress took into consideration the report of the committee on an extract of W. Denning's letter of July 10; and after debate,

*Ordered*, That it be re-committed.

The committee, to whom was referred the letter, of 18th, from Governor Rutledge, brought in a report, which was read and taken into consideration; and after debate, a motion was made by Mr. [Nathaniel] Folsom, seconded by Mr. B[enjamin] Huntington,

The Committee to whom Gov^r Rutledges letter of the 18^th Instant was referred having considered the first part thereof beg leave to Report the following Resolution

That Gov^r Rutledge be furnished with Bills of exchange, to be drawn on ~~his Excellency John Jay, Esq^r Minister Plenipotentiary at the Court of Madrid~~ the Honorable Henry Laurens Esq^r for forty three thousand Dollars, in specie on the account and credit of the State of South Carolina, to be raised in specie or other currency equivalent, and for which the said State is to be accountable.

The Committee desire leave to sit again.[1]

That the farther consideration thereof be postponed. On which, the yeas and nays being required by Mr. [Thomas] Bee,

| | | |
|---|---|---|
| *New Hampshire*, | | |
| Mr. Folsom, | ay | ay |
| *Massachusetts Bay*, | | |
| Mr. Lovell, | ay | ay |
| Ward, | ay | |
| *Rhode Island*, | | |
| Mr. Cornell, | ay | ay |
| *Connecticut*, | | |
| Mr. Huntington, | ay | ay |
| B. Huntington, | ay | |
| *New York*, | | |
| Mr. Livingston, | ay | ay |
| *New Jersey*, | | |
| Mr. Fell, | ay | * |
| *Pennsylvania*, | | |
| Mr. Armstrong, | ay | ay |
| McLene, | ay | |
| Muhlenberg, | ay | |
| *Delaware*, | | |
| Mr. McKean, | ay | ay |
| *Maryland*, | | |
| Mr. Hanson, | ay | ay |
| Henry, | ay | |

[1] This report, in the writing of Thomas Bee, is in the *Papers of the Continental Congress*, No. 20, II, folio 385. It is indorsed by Thomson: "Read August 21, 1780; postponed by yeas and nays; useless; August 24, 1781, not to be acted on."

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| | | |
|---|---|---|
| *Virginia,* | | |
| Mr. Walker, | ay | ay |
| *North Carolina,* | | |
| Mr. W. Jones, | ay | ay |
| Hill, | ay | |
| *South Carolina,* | | |
| Mr. Bee, | no | no |
| Kinloch, | no | |
| Motte, | no | |
| *Georgia,* | | |
| Mr. Walton, | ay | ay |
| Telfair, | ay | |
| Few, | ay | |

So it was resolved in the affirmative.

The Board of War, in compliance with the resolution, of the 7th, brought in a report, which was read:

AT A BOARD OF WAR *August 19th 1780*

Present Mr. Peters, Col. Grayson.

In compliance with the resolve of the 7th instant the Board beg leave to represent to Congress, That there were captured at Charles town, 245 officers and 2,326 non comd officers and privates, and that there are in New York and on Long Island 270 officers and 450 non comd officers and privates. In the whole there are now in captivity according to the best information that can be procured 515 officers and 2776 non comd officers and privates.

It is to be presumed that the act of Congress of the 21st of April last, intended for the benefit of the officers confined at New York and on Long Island, will put them in a situation to require no greater provision than is necessary to be made for those lately captured. Upon this principle the board have made the following calculation, for the supplies necessary for the subsistence of all the prisoners for three months, to commence from the 12th of June, the day of the fall of Charles Town.

| | | | |
|---|---|---|---|
| For the weekly board of 515 officers for 3 months at 15/ pr week | 5 021 | 5 | 0 |
| For an advance to each officer to procure clothing and other necessaries, of £35 | 18 025 | | |
| For a suit of clothes for every non comd officer and private 2,776 @ £10 | 27 760 | | |
| For the Hospital stores, and contingent expences for the sick at N Y. and on L. I | 1 000 | | |
| For do at Charlestown | 3 500 | | |
| | £55 306 | 5 | 0 |



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It is not improbable that the prisoners of Gen[1] Lincolns army have diminished very considerably since their capture, but to what amount, the Board cannot judge, neither can they ascertain the numbers captivated in other places within the Southern States, since the fall of Charles town. They therefore leave it to the better information of Congress to determine, whether any deduction ought to be made on that account, from the foregoing estimate.

Congress have been pleased to direct the Board to report ways and means for raising these supplies, a business they find themselves totally inadequate to, not being acquainted with the public resources, and therefore beg leave to recommend that it be referred to the Treasury Board.

With respect to the short rations, the Board beg leave to report,

That, the resident Commissarys of prisoners in New York and at Charles Town, transmit to the Commander in Chief, and the Commanding officer of the Southern Army, respectively, monthly returns of all prisoners of war under their charge, and that provisions be sent in, under the orders of the Commander in Chief for those at New York, and of the Commanding officer of the Southern Army for those at Charles Town, from time to time, in sufficient quantities to make up the deficiency of one third of a ration a day, to each non com[d] officer and private in captivity at those places.[1]

*Ordered,* That it be referred to the Board of Treasury to report.

The Committee for Foreign Affairs laid before Congress an extract from the letter, of 26 May, from the honorable J. Jay, and on motion of the said committee:

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. J[oseph] Jones, Mr. [George] Walton and Mr. [Thomas] McKean.

The committee, to whom was referred the letter, of 7th, from Mr. Lotbiniere, and the committee, to whom was recommitted the report on the letter from W. Denning, delivered in their respective reports.

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 148, I, folio 274.

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TUESDAY, AUGUST 22, 1780

A letter, of 21 July, from Thomas Burke was read:[1]

*Ordered,* That it be referred to the committee, to whom was referred the report on the letter from Governor Trumbull.[2]

A letter from Doctor W. Shippen, director general, was read:

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Abraham] Clark, Mr. [Frederick A.] Muhlenberg and Mr. [Roger] Sherman.

A memorial of J. Holker was read:[3]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [John] Henry and Mr. [Robert R.] Livingston.

A memorial of Major Christian Holmer was read:[4]

*Ordered,* That it be referred to the Board of War.

The delegates for the State of Virginia laid before Congress instructions from their constituents, which were read:

*Ordered,* That the same be referred to the committee on the extract of Mr. Jay's letter, of 26 May.

The delegates for Virginia laid before Congress farther instructions, which were read:[5]

*Ordered,* That the same be referred to the committee appointed to superintend the printing the Journal.

A report from the Board of Treasury was read; Whereupon,

[1] This letter is in the *Papers of the Continental Congress*, No. 78, III, folio 513.

[2] A marginal note says: "See 13 July."

[3] This memorial, dated August 22, 1780, is in the *Papers of the Continental Congress*, No. 41, IV, folio 127.

[4] This memorial, dated August 22, 1780, is in the *Papers of the Continental Congress*, No. 41, IV, folio 135.

[5] This instruction, dated July 13, 1780, is in the *Papers of the Continental Congress*, No. 71, I, folio 391.

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*Ordered*, That on the application of Charles Pettit, assistant quarter master general, approved by the Board of War, a warrant issue on the treasurer in his favour, on account of Major General Greene, late Q. M. G. for eight thousand dollars, for the purpose of paying for a horse furnished Major Galvan, in consequence of the orders of General Washington; and for which the said Major General Greene, late Q. M. G. is to be accountable.[1]

Congress took into consideration the report of the committee to whom was re-committed the report on the extract from the letter from W. Denning, and thereupon came to the following resolution:

Whereas it is of the utmost importance effectually to prevent the destruction, waste, embezzlement and misapplication of the public stores and provisions, upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the quarter master general, commissary general of purchases, commissary general of issues, cloathier general, commissary general of military stores, ~~Director General~~ purveyor of the hospitals, and hide department; therefore,

*Resolved*, That every person in any of the said departments, intrusted with the care of provisions, or military or hospital stores, or other property of these United States, who shall be convicted, at a general court martial, of having sold, without a proper order for that purpose, embezzled, or wilfully misapplied, damaged or spoiled, any of the provisions, horses, forage, arms, cloathing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death, or such other punishment as shall be directed by a general court martial,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 455.

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according to the nature and degree of the offence, at the discretion of such court; [and every person in any of the said departments, intrusted as aforesaid, who shall be convicted at a general court martial of having, through neglect, suffered any of the articles aforesaid to be wasted, spoiled or damaged, shall suffer such punishment as the said court shall, in their discretion, direct, according to the degree of the offence.][1]

Congress took into consideration the report of the committee on the letter from Mr. Lotbiniere; and thereupon,

*Ordered*, That the Board of Treasury make such an adjustment of the account of the Rev. Louis Lotbiniere, as that he may receive the full benefit of the stipulation made to him by General Arnold, on the 26th of January, 1776, and confirmed by Congress on the 10th of August following.[2]

The committee on salaries brought in a report, which was read.

The Board of Treasury, to whom was referred the letter, of 12, from Colonel Pickering, Q. M. G. delivered in a report, which was read:

*Ordered*, That the consideration thereof be assigned for to morrow.

A memorial of Redmond Burke was read:[3]

*Ordered*, That it be referred to the Board of War.

The committee, to whom was re-committed part of their report on the memorial from the general officers, brought in a report.

[1] This report, in the writing of Timothy Matlack, except the portion in brackets, which is in the writing of Samuel Huntington, is in the *Papers of the Continental Congress*, No. 19, II, folio 57. The indorsements show that it was read July 21 and ordered for consideration for July 25. On August 21 it was re-committed and brought in the same day.

[2] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, III, 613.

[3] This memorial, undated, is in the *Papers of the Continental Congress*, No. 41, I, folio 107.

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*Ordered,* That the consideration thereof be assigned for to morrow.

A motion was made by Mr. [Thomas] Bee, seconded by Mr. J[oseph] Jones, respecting the line of expresses established by Governor Jefferson.

*Resolved,* That the line of expresses established by Gov^r Jefferson and approved by Congress on the 29^th June last for communicating intelligence between the Southern and Northern Armies, be kept constantly employed. That the Board of War take order for carrying this measure into execution and forthwith inform Gov^r Jefferson thereof and endeavour with his assistance and advice so to arrange and fix the several stages and riders for the Southern Department as that advices may be communicated from ~~either~~ the Southern Army to Congress ~~as quickly as possible and not to exceed once in every ten days at farthest~~ and back again without delay, and that the Board take the necessary measures for intelligence with respect to the Northern Army.[1]

*Ordered,* That it be referred to the Committee on the Post Office.

Sundry resolutions being moved by Mr. [Robert R.] Livingston, seconded by Mr. [Nathaniel] Folsom,

Whereas it is necessary in order to provide for the discharge of such foreign debts as the United States have already contracted and to enable them to procure such farther credit as the public exigencies may require to have certain stated funds assigned for these purposes.

*Resolved,* That it be recommended to the Legislatures of each of the United States to impose a tax upon all exports equivalent to two and one half pr cent for the said purpose, and to provide such means for the collection thereof as will be least liable to fraud, vesting the appointment of the officers employed therein in the Congress.

*Resolved,* That such duties be paid in specie or in kind and applied solely to the payment of the principal and interest of such debts as have been and may hereafter be contracted by the United States

[1] This motion, in the writing of Thomas Bee, is in the *Papers of the Continental Congress,* No. 36, I, folio 93.

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with their Most Christian and Catholic Majesties or their subjects, ~~by the United States~~ and cease when the same shall be fully discharged.

*Resolved*, That it be further recommended to the Legislatures of the respective States to impose a duty of ~~five~~ 2½ per cent on all vessels and cargoes captured from the Enemy and brought into any of the United States, the money arising from such duty in captures to be paid into the hands of the Board of Admiralty and applied to the equipment of ships of war, and the maintenance of the Navy of the United States, and to no other use whatsoever.

*Resolved*, That a Com: be chosen to form and report the draft of a bill for these purposes, that the same may be sent to the Legislatures for their concurrence, and one general system be uniformly adopted.

*Resolved*, That it be recommended to the respective States to repeal all embargoes and other restrictions upon the trade ~~internal and foreign~~ of the Country except ~~so far as to~~ those which prevent all commercial intercourse with enemies of the United States or of their allies.[1]

*Ordered*, That the same be referred to the committee appointed to prepare an estimate, &c.

*Ordered*, That Mr. [Robert R.] Livingston be added to that committee.[2]

The delegates for Massachusetts Bay laid before Congress an extract of a letter to them from the council of the said State, and on motion by them,

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [James] Lovell, Mr. [James] McLene, and Mr. [John] Henry.

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, AUGUST 23, 1780

A letter, of 20, from Mr. R. Izard.

One, of 19, from J[ohn] Mathews, in behalf of the committee at headquarters, enclosing copy of a letter, of 17th,

[1] This motion, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, I, folio 89.

[2] A marginal note says "See 11th."

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from General Washington, and of a circular letter from committee to the states, dated 19, were read.

A letter, of 2d, from J. Ely was read:

*Ordered*, That it be referred to the Board of War.

A letter, of 25, and one, of 26 July, from John Maugnall, were read:[1]

*Ordered*, That they be referred to the Committee of Foreign Affairs.

A petition from the justices and field officers of the county Northampton, in the State of Virginia, was read:[2]

*Ordered*, That it be referred to the Board of War.

A petition from sundry inhabitants of Kentucke was read.[3]

Congress took into consideration the report of the Board of Treasury on the letter from Colonel Pickering, Q. M. G., and thereupon came to the following resolutions:

TREASURY OFFICE, *Augt 22nd 1780*

On that part of Timothy Pickering's letter of the 15th instant referred by Congress which relates to Certificates,

The Board beg leave to report,

That the power of issuing Certificates by the Quarter Master General, or any other department may be productive of evil, but may also, under our pressing necessities have a happy tendency by answering the purposes of money, and if properly regulated, the disadvantages apprehended in a great measure guarded against.

Wherefore the Board submit the following Resolution,

~~That Timothy Pickering Quarter Master General be authorised to issue certificates for all services performed, or articles purchased in his department under the following Regulations and restrictions to wit:~~

[1] Mathews's letter is in the *Papers of the Continental Congress*, No. 39, I, folio 227; it was transcribed in Committee Book, 1780, Proceedings of the Committee appointed the 13th April, 1780, folio 47; Ely's letter is in No. 78, VIII, folio 351; that of Izard in No. 78, XIII, folio 175; that of Mangnall dated July 16 (26 being an error), is in No. 78, XVI, folio 61; Mangnall's letter of July 15 (25 being an error) is on folio 65.

[2] This petition, dated August 8, 1780, is in the *Papers of the Continental Congress*, No. 42, VI, folio 39.

[3] This petition is in the *Papers of the Continental Congress*, No. 48, folio 247.

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*Resolved,* That no certificates issued in the quarter master's and commissary's departments after the 15th day of September next, afford any claim upon the United States, unless issued under the following regulations:

1st. That they be for services performed or articles purchased within their respective departments.

2dly. The quarter master general and commissary general shall themselves sign all such certificates as are issued in their respective departments.

3dly. All such certificates shall be given for specie, or other current money equivalent.

4thly. All contracts or purchases made, for which certificates shall be given, shall be made for specie value.

5thly. The articles so purchased shall be enumerated in such certificates, with the rates and prices thereof; and the prices shall be reasonable when the present circumstances of our affairs are compared with the cost of articles of like quality, or services performed, in the year 1775, or when compared with the allowance by Congress to the United States, ~~and in no other case shall the quarter master aforesaid have power to issue certificates~~ as expressed in their resolution of the 25th of February last.[1]

*Resolved,* That certificates issued under and agreeably to the foregoing regulations, shall bear an interest of six per cent. per annum, from the time stipulated for payment, until paid.

*Resolved,* That the quarter master general and commissary general be, and hereby are strictly enjoined to make monthly returns of their purchases and proceedings to the Board of War, and make monthly returns, to wit, on the last day of every month, to the Board of Treasury, of all certificates so issued as aforesaid ~~and that the quarter master general~~

[1] In the report the date is given October 18th last; but February 25 is correct.

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~~and commissary general have the power aforesaid until the farther order of Congress.~~[1]

On motion of Mr. [Thomas] McKean, seconded by Mr. [Robert R.] Livingston,

*Resolved*, That a committee of three be appointed to ascertain and declare the privileges of members of Congress until the confederation shall be ratified by all the states in the Union.

The members chosen, Mr. [Thomas] McKean, Mr. [Robert R.] Livingston and Mr. [John] Henry.

A letter, of this day, from Governor Rutledge was read.[2]

The Board of Treasury, to whom was referred the report of the Board of War, delivered in a report;[3] Whereupon,

TREASURY OFFICE, *August 23, 1780.*

On the Report from the Board of War of the 21st instant referred by Congress;

The Board beg leave to Report,

That in consequence of a Resolution of Congress of the 21st April last, Bills of Exchange on the Hon'ble John Jay Esqr. to the amount of seventy one thousand three hundred and forty dollars, specie, were reserved for the use of the Prisoners of War of the United States, and that the same bills remain unappropriated.

*Resolved*, That the Board of Treasury be and hereby are empowered to direct Thomas Smith, commissioner of the continental loan office, for the State of Pensylvania, to sell, under their direction, for specie, the bills ordered to be drawn on the hon. J. Jay, which were reserved for the use of the prisoners of war of the United States, amounting to seventy one thousand three hundred and fifty [forty] dollars, specie:

That one half of the specie aforesaid be applied, under the direction of the Board of War, for the purpose of supplying

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 531.

[2] This letter is in the *Papers of the Continental Congress*, No. 72, folio 530.

[3] A marginal note says: "See August 7, 21."

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the prisoners of war in the States of South Carolina and Georgia:

That the other half of the specie aforesaid, be forwarded, under the direction of the Board of War, to the ~~commanding officer of the Southern Department to be by him forwarded to the Commissaries of Prisoners in Charles Town~~ commissary of prisoners, in the middle department, for the supply of the prisoners at New York:

That the Board of Treasury be and hereby are empowered to prepare bills of exchange, to be drawn on the hon. Benjamin Franklin, minister plenipotentiary at the Court of Versailles, at ninety days sight, to the amount of one hundred and fifty thousand dollars, specie; the amount of the estimate from the Board of War. That so much thereof as will compleat the estimate of the Board of War, be sold for specie, and forwarded to the commissaries of prisoners in the middle and southern departments, under the same regulations, and for the same purposes as aforesaid; the residue of the 150,000 dollars, to replace the 71,340 dollars aforesaid, be reserved for the special direction of Congress.[1]

The committee on the letter from Sol: Southwick, and the committee on the letter, of 18, from Governor Rutledge, delivered in their respective reports.

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, AUGUST 24, 1780

A petition from a number of the inhabitants of Kentucke was read; on which[2]

A motion was made by the delegates of Virginia, that this petition, together with that read yesterday, from a number

[1] These resolutions were also entered in the manuscript Secret (Domestic) Journal. The report is in the *Papers of the Continental Congress*, No. 136, IV, folio 535.

[2] This petition, dated May 15, 1780, is in the *Papers of the Continental Congress*, No. 48, folio 237.

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of the inhabitants of the said country, be transmitted to the governor of Virginia; which on the question, passed in the negative.

A letter from the Board of Admiralty was read.[1]

The Board of War, to whom was referred the memorial of Major Christ: Holmer, delivered in a report; Whereupon,

AT A BOARD OF WAR, *Aug*t. *23*d. *1780*

Present Mr. Peters Col. Grayson

The board having considered the memorial of Major Christ. Holmer, praying that a sum in specie, or an equivalent in current money may be advanced him on account of the depreciation of his pay; are of opinion that there is nothing singular in the case of Major Holmer to entitle him to the particular attention of Congress, and that a compliance with his request would subject Congress to embarrassing demands from all their Officers,

They therefore beg leave to report,

*Resolved*, That it is not at this time expedient to comply with the prayer of the memorial.[2]

The Board of War, to whom was referred the letter, of 3, from Baron Steuben, with the plan for conducting the inspector's office, delivered in a report, which was read.

AT A BOARD OF WAR. *Aug*t. *23*d. *1780*

Present Mr. Peters, Col. Grayson

The Board having considered the letter of the 3d inst. from Baron Steuben together with his proposed plan for the establishment of the department of the Inspectorship, beg leave to recommend the following

In Congress

Establishment of the department of the Inspectorship.

Whereas the institution of this department hath been found productive of great utility to the armies of the United States, and expe-

[1] This letter, dated August 24, is in the *Papers of the Continental Congress*, No. 37, folio 299.

[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 505.

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rience hath shewn that it may be rendered still more useful by an extension of its powers and objects

Therefore Resolved

That the former establishment by a resolution of the 18 of February 1779 be repealed, and that the department hereafter have the following form, powers and privileges.

There shall be an Inspector General to the armies of the United States with the rank of Major General, who, in all future appointments shall be taken from the line of Major Generals.

There shall be an Assistant Inspector General, who shall be the Adjutant General of the Main Army for the time being.

There shall be an Inspector to each division of the Army, one to the Corps of Cavalry, one to the Corps of Artillery, (one to the independent Corps, Garrisons and to the militia in service with the continental army) to be taken when circumstances will permit, from the line of Colonels and Lieutenant Colonels.

There shall be a Sub Inspector to each Brigade, who when circumstances will permit, shall be a Major in the Brigade, besides which there shall be one to the Cavalry, another to the Artillery, and another to the independant Corps, garrisons and Militia connected with the Main Army—and if thought necessary by the Inspector General, approved by Congress, the Board of War, Commander in Chief or Commander of a separate Army, one of each of these to every separate Army.

It shall be the duty of the Inspector General to frame a System of Regulations for the exercise and discipline of the Troops, in the manual evolutions and maneuvres, for the Service of Guards and detachments, and for all Camp and Garrison duty, and to superintend the execution of these Regulations, throughout the Army, as well in the Corps of Cavalry and Artillery, as in that of Infantry, except that he is not to interfere with the interior arrangement of the Artillery,—in what is peculiar to it as a distinct Corps; but only in those general rules of duty and discipline, an uniformity in which is necessary to be observed throughout the Army.

The Assistant Inspector General shall assist in the general duties of the department, according to the orders he shall receive from the Inspector General, and in his absence shall have the chief direction of the same. He shall nevertheless continue to have the sole Charge of regulating the details of the Army, of collecting and digest-

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ing the returns, of issuing the general Orders, and shall perform all the other duties incident to his office of Adjutant General, as heretofore.

The Inspectors shall superintend the execution of the regulations established for the Army in their respective divisions, at all times performing the duties of Adjutant General to the same, and when a detachment of more than one division is sent from the Army, the Inspector oldest in office shall act as Adjutant General to the detachment—as shall also be the case in a separate Army. They shall receive their Instructions relative to the department from the Inspector General and Assistant Inspector General.

The Sub Inspectors shall keep rosters of the Battalions of their Brigades, regulate the details, take care of the formation and march of all Guards, detachments &c, receive the general and division orders, communicate them to the Commandants of Brigades and Regiments, and through the Adjutants, &c, all the officers; and in general inspect the police of the Camp, the discipline of the Troops, and the order of the service within the Brigade. They are to receive their orders relative to the department from the Inspector General, Assistant Inspector General and Inspector of the division or detachment to which they belong.

Agreeable to a resolution of Congress of the 12th of January last for annexing the mustering department to that of the Inspectorship, the Inspector General and his Assistants shall review and muster the Troops and Militia in service, at such times and in such manner as shall be hereafter specified, at which reviews he or they shall inspect the number and condition of the men, their discipline and exercise, the state of their Arms, accoutrements and camp Equipages, the rations they have drawn since the last review, rejecting such recruits as are unfit for the service, discharging or transferring to the invalid Corps such as by disabilities contracted in the Service, have become unfit for it, noting all alterations which have happened since the last review or muster, and as far as possible in what manner, reporting them with the deficiencies, neglects and abuses to the Commander in Chief or Commanding Officer of a detachment and to the Board of War.

There shall be a review or muster once every month, and at every muster three rolls shall be made out by the Commanding Officer of each Troop or Company, sworn to and signed by him, in the manner

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hereafter directed, one of which rolls shall be returned to him certified by the mustering officer (one shall be retained by the mustering officer) and the other shall be delivered certified by him also to the Regimental Pay Master to be affixed to the Pay Rolls.

Each Brigade shall be mustered by its Sub Inspector under the superintendency of the Inspector of the division who shall also be responsible for the exactness and fidelity of the musters.

The Sub Inspectors shall deliver an abstract of the Brigade musters regimentally digested to the Inspector of the division who shall digest them into division abstracts, in the same form, and transmit them to the Inspector General.

All detached Corps and Militia in service shall be mustered in the same forms, by the officers heretofore appointed for these purposes, according to the directions of the Inspector General, to whom they shall transmit their abstracts.

The Inspector to a seperate Army, shall receive all the abstracts of that Army, deliver one copy to the Commanding Officer of the Army, and transmit another to the Inspector General.

The Inspector General shall transmit once every month, a copy of the abstracts of the musters of the whole Army, to the Commander in Chief, and another to the Board of War.

No commanding officer of a Regiment shall solely muster the regiment he commands, but another shall be appointed to do the duty, by the Inspector General, in such manner as not to interfere with the regularity of the abstracts here required.

The oldest Inspector, in a separate Army, shall exercise the same duties in that Army, respecting the musters, as the Inspector General in the whole Army according to the Instructions he receives from him, and the orders of the commanding officer of such separate Army.

All the muster rolls or inspection returns shall be made out agreeable to the forms the Inspector General shall from time to time prescribe.

The Commissary of Issues shall be obliged to deliver monthly, to the Inspector General, an abstract by Brigades of the rations actually issued, and an abstract of the rations issued to the independent and other distinct Corps, and to the Garrisons. All muster Rolls directed to be taken shall be sworn to before the Inspector and Sub

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Inspector who is hereby empowered to administer the oath, and a Certificate thereof shall be given on the back of each muster Roll, the oath and Certificate to be in the words following. "I, A. B. do swear that the within muster Roll is a true state of the Company without fraud to these United States, or to any individual, according to the best of my knowledge." A B.

Sworn to before me this Captain or Lt Commandant
day of 17—

The mustering officers shall be empowered and directed to require from the officers whose Troops are mustered, all papers and vouchers relative to the inlistment and muster.

As the duties of the Inspector General will be very numerous, laborious and important, he shall be allowed two Aides de Camp, in addition to the two he is entitled to as Major General, taken from the line in the same manner and on the same terms.

The Inspectors shall keep accounts with the Officers commanding Regiments of all the Arms and Accoutrements delivered their Regiments, and returned in by them, for which purpose no Arms or Accoutrements shall be delivered by the Brigade Conductor, without an order from the Inspector of the division, to whom returns for Arms and Accoutrements wanted shall be made in the form directed in the regulations for the orders and discipline of the Troops of the United States.

All the officers of the Inspectorship shall retain their rights of command and promotion, in the same manner as if they had not assumed the Office; but as the duties of this department are very extensive and demand great attention, they are to suspend the exercise of their respective Commands, except when they happen to be the superior officers in the division, brigades or regiments, to which they belong, or when they are appointed to execute any particular service, by the Commander in Chief or Commanding Officer in a separate Army. They are to be exempted from common Camp and Garrison duties, to attend more carefully to those of the Inspection, and in time of action when not in actual command are to be employed to assist in executing the Field Maneuvres directed by the Officers commanding the divisions and brigades, to which they are attached.

The Inspector General in all that relates to the Inspection shall be subject to the Orders of Congress, the Board of War, and the Com-

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mander in Chief only, but the Inspectors and Sub Inspectors shall also be subject to the officers commanding the divisions and brigades, to which they are attached.

The Inspector General, as often as circumstances will permit, shall visit every part of the Army, and review the regiments himself, to see that uniformity prevail throughout the Armies of the United States.

The Inspector General shall keep Books, in which the returns &c. passing through his office shall be registered. He shall be charged with collecting into one or more volumes all the resolves of Congress and regulations of the Board of War relative to the Army.

To serve as an Escort in his Journeys and convey his orders, he shall be allowed when circumstances will permit, a non commissioned officer and four dragoons.

The travelling and other incidental expences necessary for the execution of the business of the office shall be settled by the auditors with the Army upon such principles as shall be established by the Commander in Chief, and paid out of the Military Chest.

In consideration of the various and extensive duties of the office, the Assistant Inspector General shall receive four hundred dollars p^r month, in addition to his pay as Adjutant General, from the first day of February last, to the first day of August instant from which time he shall receive in the Bills emitted in pursuance of the Act of Congress of the 18^th of March last dollars p^r month additional pay.

The Inspectors shall receive from the said first day of Feby. to the first of August three hundred dollars p^r month, and from that time in the said new Bills dollars p^r month, and the Sub Inspectors shall receive from the said first day of Feby. to the said first day of August two hundred dollars p^r month, and from that time in the new Bills dollars p^r month, in addition to the pay and subsistence to which they are entitled by their respective ranks.

The Q^r Master Gen^l shall furnish all necessary books and papers for the Department.

The Inspectors and Sub Inspectors shall be allowed forage for three horses, including those they are entitled to as officers in the Line.



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Each Inspector shall be allowed when the circumstances of the Army will permit a marquee and a common tent, each Sub. Inspector a horseman's and a common tent.

All the regulations respecting the objects of this department shall be finally approved and established by Congress, but the exigency of the service requiring it, temporary ones may from time to time be introduced by the Inspector General, with the approbation of the Commander in Chief, and transmitted to the Board of War with all convenient dispatch—that being examined and reported by them to Congress, they may be rejected, altered, amended or confirmed as Congress shall deem proper [1]

A letter, of 23, from the Board of War was read, stating the necessity of appointing a commissary general of prisoners, and enclosing a letter, of 8, from Abraham Skinner on the subject.[2]

Congress took into consideration the report of the committee on the memorial of the general officers, ~~when a motion was made by Mr. Livingston, seconded by Mr. Armstrong,~~

~~That as a farther encouragement to the officers of the army, and as a full compensation for the enhanced prices of commodities, it be recommended to the respective states not having made other provision, to extend half pay to them for life; and to the widows of such as die, or shall die in the service, to be continued to them during their widowhood; and in case there shall be no widow, to the orphan child or children of such officer, till such child, or if there are more than one, till the youngest child shall be of the age of fourteen years. On the question to agree to this, the yeas and nays being required by Mr. Clark,~~

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 509. See August 30 for its reference to a committee.

[2] This letter is in the *Papers of the Continental Congress*, No. 148, I, folio 179.

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| | | |
|---|---|---|
| ~~*New Hampshire,*~~ | | |
| ~~Mr. Folsom,~~ | ~~no~~ | ~~no~~ |
| ~~*Massachusetts Bay,*~~ | | |
| ~~Mr. Lovell,~~ | ~~no~~ | ~~no~~ |
| ~~Ward,~~ | ~~no~~ | |
| ~~*Rhode Island,*~~ | | |
| ~~Mr. Cornell,~~ | ~~no~~ | ~~no~~ |
| ~~*Connecticut,*~~ | | |
| ~~Mr. Huntington,~~ | ~~no~~ | ~~no~~ |
| ~~B. Huntington,~~ | ~~no~~ | |
| ~~*New York,*~~ | | |
| ~~Mr. Scott,~~ | ~~no~~ | ~~div.~~ |
| ~~Livingston,~~ | ~~ay~~ | |
| ~~*New Jersey,*~~ | | |
| ~~Mr. Fell,~~ | ~~no~~ | ~~no~~ |
| ~~Clark,~~ | ~~no~~ | |
| ~~*Pennsylvania,*~~ | | |
| ~~Mr. Armstrong,~~ | ~~ay~~ | ~~ay~~ |
| ~~McLene,~~ | ~~ay~~ | |
| ~~Muhlenberg,~~ | ~~ay~~ | |
| ~~*Maryland,*~~ | | |
| ~~Mr. Henry,~~ | ~~ay~~ | * |
| ~~*Virginia,*~~ | | |
| ~~Mr. J. Jones,~~ | ~~ay~~ | ~~ay~~ |
| ~~Walker,~~ | ~~ay~~ | |
| ~~*South Carolina,*~~ | | |
| ~~Mr. Kinloch,~~ | ~~ay~~ | ~~ay~~ |
| ~~Motte,~~ | ~~ay~~ | |
| ~~*Georgia,*~~ | | |
| ~~Mr. Telfair,~~ | ~~ay~~ | ~~no~~ |
| ~~Few,~~ | ~~no~~ | |
| ~~Howly,~~ | ~~no~~ | |

~~So it passed in the negative.~~

~~Congress proceeded in the consideration of the report, and thereupon,~~[1]

The Committee to whom was referred the Memorial of the General officers, upon reconsideration of the same, on the re-commitment of a paragraph of their former report, beg leave to submit to Congress the following observations and resolutions.

That when an army was first raised by the four Eastern States, on the commencement of hostilities in the Massachusetts Bay, by the British forces in April, 1775, the pay and rations of the several officers were fixed (as was then supposed) in due proportion to their different ranks and expences in the army.

That in June 1775 when Congress took the army under their direction, they made a new appointment of general officers, and fixed their pay as it now stands, leaving the pay of the other officers as fixed by the said States.

That on the 7th of October 1776, the pay of the officers of the battalions, was augmented fifty per cent; and had the pay of a general officer been augmented only at that rate, above what was fixed by the Eastern States, it would have been 66 per cent lower than it now is.

[1] A marginal note says: "This struck out by general consent, 25th."

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Wherefore your Committee are of opinion that the pay and subsistance of the general officers is as high as that of the other officers of the army in proportion to their station—and that the pay and subsistence of all the officers, ought to be made as good to them during the whole time of their service, as it was on the 7th of October 1776.

That the seven years half pay granted in May 1778 was in consideration of the depreciation of the currency and the enhanced prices of the necessaries of life. That the amount of the said half pay ought to be allowed to the widows and orphan children of such of the officers as die in the service and that such further provision as may be necessary for the comfortable support of such widows and orphans as may be in indigent circumstances ought to be made by the respective States to which they belong.

That it is inexpedient to augment the pay or subsistance of the officers at this time; but if the measures taken to introduce a stable currency should not prove effectual to reduce the prices of the necessaries of life to what they were in the year 1776, it can be better determined hereafter what compensation is equitable to be made them.

Whereupon the Committee submit the following resolutions:

*Resolved*, That the officers of the line of the army, commanding corps, when in camp, be allowed to draw so many of the rations of provisions heretofore ~~allowed them when in camp~~ withheld, as the Commander in Chief, or the commander of a seperate army, shall judge necessary; but that no provision be issued for back rations not drawn on the days they become due:

That if it shall appear that the subsistance money, allowed to officers in lieu of the rations withheld, is not equal to the cost of the rations, the deficiency shall hereafter be made up to them: ~~or if the monthly pay that they shall hereafter receive shall appear to be of less value compared with the prices of the necessaries of life than their pay was in the year 1776 a reasonable compensation shall be made them for the deficiency.~~

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That the resolution of the 15 day of May, 1778, granting half-pay for seven years to the officers of the army who should continue in the service to the end of the war, be extended to the widows of those officers who have died, or shall hereafter die in the service; to commence from the time of such officer's death, and continue for the term of seven years ~~if the widow of such officer continue so long in a state of widowhood~~; or if there be no widow, or in case of her death or intermarriage, the said half pay be given to the orphan children of the officer dying as aforesaid, if he shall have left any; and that it be recommended to the legislatures of the respective states to which such officers belong, to make provision for paying the same, on account of the United States ~~and to make provision at the expence of such State for continuing the same, to such widows, during their widowhood, whose indigent circumstances may require it, and also to make such further provision as may be necessary for orphan children in like circumstances, provided such States have not already made competent provision in the cases aforesaid, pursuant to the recommendation of Congress of the 17th of August 1779~~:

That the restricting clause in the resolution of the 15th of May, 1778, granting half-pay to the officers for seven years, expressed in these words, viz. "and not hold any office of profit under these states, or any of them," be and hereby is repealed.

| | | | |
|---|---|---|---|
| Major General's pay and rations | | per month 256 dollars. | |
| | | per year 3172 specie. | |
| Brigadier | do. | per month 185 | dollars.[1] |
| | | per year 2220 | |

The committee, appointed to devise means to prevent the further issue of certificates, &c. and

[1] This report, in the writing of Roger Sherman, is in the *Papers of the Continental Congress*, No. 21, folio 247.

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The Committee on the Post Office, to whom was referred the motion of Mr. [Thomas] Bee; and

The committee, appointed to ascertain and declare the privileges of members of Congress until the Confederation shall be ratified by all the states; and

The Committee appointed to ascertain and declare the privileges of Members of Congress, until the Confederation shall be ratified by all the States in the Union,

Beg leave to report as follows.

Whereas by the Confederation and perpetual Union of these States, in the fifth article it is (among other things) agreed "that freedom of speech and debate in Congress shall not be impeached or questioned in any Court or place out of Congress, and the Members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from and attendance on Congress, except for treason, felony and breach of the peace."

And whereas the said Confederation is not yet in all its parts ratified by the State of Maryland, and it is absolutely essential to the great trust reposed in members of Congress, that they should at all times enjoy the privileges above mentioned as well as the other privileges belonging to a legislative Body.

*Resolved*, And it is hereby declared,

That the Members of Congress have, and of right ought to have all the privileges and immunities expressed in the clause of the fifth article above recited.[1]

The committee, to whom were referred the letter, of 8 June, from Governor Trumbull and the letter, of 21 July, from Mr. T. Burke, delivered in their respective reports.

AT A BOARD OF WAR, *Augt 24. 1780*

The board having considered the memorial of the Justices and Field Officers in the counties of Accomack and Northampton in Virginia, requesting that the men raised in those counties as part of the Virginia quota of troops be permitted to remain therein, beg leave to inform Congress

[1] This report, in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 23, folio 59. It is indorsed by Thomson: "Read. August 24, 1781, Not to be acted upon."

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That in the opinion of the Board the reasons stated in their report on a former application on this subject which was agreed to by Congress on the 2d March 1778 still prevail with this variation That the board do not know of any imported property belonging to the United States now in those counties. The property of the citizens of these States who find it convenient to make use of the great variety of Inlets and Harbors in those counties, as well as that of the Inhabitants being subject to the daily ravages of the enemy's cruizers which now infest their Coasts in unusual numbers, is constantly in a precarious and perilous situation. It is therefore submitted to Congress whether considering the circumstances before stated, and that the numbers of fencible men in those counties are not great, nor can they from their detached situation, and the numbers of disaffected which surround them, be speedily relieved in case of invasion, it would not be expedient to continue the measure formerly adopted by Congress of leaving the men raised in those counties for the Continental Army (which as we are informed do not amount to more than the complement of one company) as a permanent guard. Should Congress be of this opinion, it is conceived proper that it should be resolved

That from the peculiar situation of the Counties of Accomack and Northampton in the State of Virginia, the men raised as part of the quota of that State for the Continental Army remain in those counties until the further order of Congress or the Commander in Chief.

That it be recommended to the Executive of the State of Virginia to appoint officers for the men in proportion to their numbers out of those officers of the Virginia line, who are in that State unemployed; and that the said Executive take the necessary measures for clothing, paying, and providing for the said officers and men at the expence of the United States during their stay in the said Counties.

That a copy of the memorial of the said Justices and Field Officers be transmitted to the Governor and Council of Virginia, to the end that eventual measures may be taken by the Government of the State for the defence of the said counties, in case it should hereafter be found expedient to remove the Continental troops therefrom.[1]

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 503. It is indorsed: "Postponed."

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**FRIDAY, AUGUST 25, 1780**

The Board of War, to whom was referred the report of the Board of Treasury on the letter, of 14, from Major General McDougall, brought in a report; Whereupon,

TREASURY OFFICE
*August 17th 1780*

The Board having considered Gen[l] McDougalls Letter of the 14th instant referred to them by Congress beg leave to Report,

That by a Resolution of Congress of the sixteenth of June 1775, the pay of a Major General is 166 dollars per month, That when any Major General shall act in a seperate department he be allowed for his pay and expences three hundred and thirty two dollars per month.

That on the 27th of February 1776 Congress Resolved "New York, New Jersey, Pennsylvania the lower Counties on Delaware and Maryland be put into one department under the command of one Major General and two Brigadiers General with proper staff"

That Virginia, North Carolina, South Carolina and Georgia be put into one department &c

Also by another Resolution of Congress of the 22nd of May 1777, Albany, Ticonderago, Fort Stanwix and their dependencies are considered the Northern Department,

That General McDougall brings his charge for a seperate command in the Highlands, and it may have been the intention of Congress, that commands of that nature should come under the description in their resolution of the 16th June 1775. But as that command of General McDougall was in the Middle Department, where General Washington (during the period the General charges for) did actually command, and the only Resolution of Congress on which the General can found his charge of double pay, says it shall be for commanding in a *Seperate Department*, the Board submit to Congress, whether the General's having had a seperate command, in a department commanded by General Washington, shall entitle him to double pay under the resolution of the 16th June 1775.

In addition to the above state of the matter the Board of War beg leave to represent,

That Congress have not confined themselves to the Departments as established in the Resolutions before recited, but have made exceptions as they thought the particular situation of the Officer Com-

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manding required. Congress will no doubt recollect these exceptions and among them their resolve of the 2nd September 1777 whereby General Putnam became entitled to the allowance of a Major General in a separate department while he held the command at the Posts where General M^cDougall commanded during the time for which he claims double pay. If Congress do not recollect any circumstances in the case of General Putnam which will vary it from that of General M^cDougall, it should seem that the latter is entitled to the same allowance with the former, and if Congress should be of this opinion it is conceived by the Board, proper that it be

*Resolved,* That Major Gen. M'Dougall be entitled to receive the allowance of a major general in a seperate department, during the time he commanded the posts in the highlands.[1]

On motion of Mr. [John] Henry, seconded by Mr. [Samuel] Adams,

*Resolved,* That when the governors or presidents of two or more states act in the field together, he who has been longest in office shall take rank of all other governors or presidents, except the governor or president of the state in which they are; who, in his own state, notwithstanding he may be youngest in office, always takes rank.

*Resolved,* That whenever the governors or presidents of states act in conjunction with continental troops, they shall, for the time they so act in conjunction, have the rank of major-general in the line of the army:

Provided always, that nothing in the above resolutions shall exclude the governor of any state from a seperate command over the militia of the state in which he presides, where not inconsistent with the particular views of the Commander in Chief.

On motion of Mr. [Robert R.] Livingston, seconded [by] Mr. [John] Armstrong,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 525.

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*Resolved,* That the half pay of general officers be proportioned to their pay.

Congress took into consideration the report of the committee on the letter of the 18th, from Governor Rutledge; and thereupon,

A further Report from the Committee on Governor Rutledge's Letter of the 18th Instant

~~*Resolved*, That Congress will take the earliest Opportunity and use every means in their power to Effect the Exchange of the Lt Governor of S. C. and other Citizens of that _____ taken at the surrender of Charleston or Elsewhere and now Prisoners of War or on Parole.~~

~~Your Committee recommend that such part of the said Letter as respects the Ordering the Continental Regiment lately raised in Maryland to join the Southern Army be referred to his Excellency Genl Washington to give such directions thereon as to him shall appear most eligible in the present conjuncture,~~ and that the remaining part of the Letter respecting a supply of arms and ammunition for the army under Genl Gates be referred to the Board of War, to take order.[1]

*Resolved,* That Governor Rutledge be informed that Congress have paid, and will continue to pay, attention to all who have had the misfortune of being captivated by the enemy; and that those captivated at the surrender of Charlestown will equally share the care and attention of Congress with those captivated in any other of the United States.

*Resolved,* That the remaining part of Governor Rutledge's letter, respecting a supply of arms and ammunition for the army under Major General Gates, be referred to the Board of War to take order.

On motion of Mr. [Thomas] Bee, seconded by Mr. [George] Walton, Congress passed the following resolution:

It being represented to Congress that four good pilots for the coasts and bars of South Carolina and Georgia, are now in this city:

[1] This report, in the writing of Thomas Bee, is in the *Papers of the Continental Congress*, No. 19, V, folio 259.

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*Resolved,* That the Board of Admiralty be and hereby are directed to retain them in the service of these United States, and engage them to remain here until the further order of Congress.

*Resolved,* That Friday, the 1st Sept. next, be assigned for electing a member of the Court of Appeals, in the room of the late Mr. Hosmer, deceased.

The committee to whom was referred the letter from F. Hopkinson, treasurer of loans, delivered in a report.

The Committee to whom was referred the letter from the Treasurer of Loans respecting the Board of Treasury, &c. beg leave to report.

That the indisposition of Mr Foreman one of the Commissioners of the Treasury delayed the Committee for some time from proceeding in the business to them submitted; but that on the 7th Inst. due notice was given to the Commissioners of the Treasury, who had received a copy of the letter from the Treasurer of loans three weeks before, that the Committee would meet in the Committee room of Congress in the State House on the Thursday following at nine o'clock in the morning on that business; that the commissioners, altho' they received a second notice from your Committee after they had met avoided attending upon them, whereupon they proceeded ex parte (as they informed the Commissioners they would do in case they did not attend) and heard the Treasurer of loans, the Commissioners of the Chambers of Accounts the Auditor General, the Treasurer, and Paymaster General; and thereupon they find, that there is great uneasiness in that Department and that the public business is likely to suffer great prejudice therefrom which is chiefly to be attributed to the following Causes, viz.

That the Board of Treasury have prohibited all access to them between the hours of nine and twelve in the forenoon, even by the officers in the Department, with whom they transact the most trivial affairs in writing only, not suffering the Commissioners of the Chambers to speak to them. That some time ago, when the treasurer of loans came upon public business to the door of the room, where the Treasury board sits between the hours nine and twelve, Mr Foreman shut the door in his face, and has also treated him with unmerited indignity on other occasions.

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That the orders issued by the Board have been often incorrect, and sometimes unintelligible and impracticable to be executed, and that in particular one standing order to the Treasurer not to pay money on the Warrants of Congress without the special direction of the Board, is a dangerous usurpation of power, opens a door to partialities and resentments and has a tendency to destroy the honor and credit of the United States.

That the behavior in office of Messrs. Foreman and Gibson two of the Commissioners of the Treasury and of Mr Lee Secretary of the Board, to the Executive officers in that Department, and also to others who have frequent business to transact with the Board is very reprehensible, extremely disgusting, and has destroyed all friendly Communications of councils and harmony in the execution of public affairs. That your Committee observe great inconveniences have arisen from the mode of appointing the Clerks of the Chamber of accounts

Whereupon your Committee propose the following Resolutions viz.

*Resolved,*

That Gentlemen be put in nomination as Commissioners of the Treasury in the room of Ezekiel Foreman and John Gibson Esqrs. on ——— next, and that two be elected on the day after.

That a Secretary to the Board of Treasury be nominated and elected at the same times in the Stead of Mr Charles Lee.

That the Commissioners of the respective chambers of accounts have the appointment, removal and direction of their own clerks.[1]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, AUGUST 26, 1780

A memorial of William Murray was read:[2]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [Thomas] McKean, Mr. [Timothy] Matlack and Mr. [Samuel] Adams.

[1] This report, in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 19, III, folios 175 and 177. It is indorsed by Charles Thomson: "Delivered August 25, 1780; Read; Sept. 7 motion for recommittment; 9 Recommitted."

[2] This memorial, dated August 25, 1780, is in the *Papers of the Continental Congress*, No. 41, VI, folio 191.

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Congress took into consideration the report of the Committee on the Post Office, ~~on Mr. Bee's motion,~~ and

*Resolved*, That the resolution of the 27th December, 1779, ordering "that the post office be so regulated as that the post shall set out and arrive at the place where Congress shall be sitting, twice in every week, to go so far as Boston, in the state of Massachusetts Bay, and to Charlestown, in the state of South Carolina," be and hereby is repealed.[1]

A report from the Board of Treasury was read; Whereupon,

TREASURY OFFICE *August 24 1780*

On the information from the Board of Admiralty to Congress dated 19th instant and referred,

The Board beg leave to Report, That they will direct the Treasurer to pay to the Board of Admiralty upon the warrant of 700,000 dollars in their favour yet unsatisfied, two hundred thousand dollars, out of the first monies that shall come into the Treasury, to answer the urgent purposes set forth in their letter of information to Congress.

*Ordered*, That on the application of the superintendants of the press, a warrant issue on the treasurer in their favour, for three thousand dollars, to defray the contingent expences of their office; and for which they are to be accountable.

That on the application of David C. Claypole, printer to Congress, a warrant issue on the treasurer, in his favour, for ten thousand dollars; for which he is to be accountable.[2]

TREASURY OFFICE *August 22 1780*

The Board having considered the letter from the Board of War to the President of Congress dated the 18th instant and referred to them—Beg leave to Report,

That every Resolution of Congress relative to the bringing money into the Treasury, hath been strictly attended to, and so far as in the power of the Board carried into effect. The results of those various efforts have been duly reported to Congress. The Board think it their duty to report explicitly, that there is no money in the Treasury,

[1] This report is in the *Papers of the Continental Congress*, No. 61, folio 479.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 539.

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and unpaid warrants out, to the amount of three Millions of Dollars, and that no warrant hath yet issued in favour of the Board of War, for the four Million of Dollars granted to that Board for the purposes expressed in the Resolution of Congress of the 25th of July last,

That the Resolution of Congress of the 29th of June last directing warrants for balances, puts it out of the power of the Board, to report any warrants on the States for any part of their quotas unpaid up to the 1st of March last,

Whereupon they submit the following Resolution:

*Resolved,* That the Board of Treasury be and hereby are authorised ~~and directed~~ to report warrants on the respective states, to compleat their several balances due to the United States, up to the first day of March last; which sum so drawn for and received shall be credited on their respective warrants drawn, agreeably to a resolution of the 29th of June last.[1]

Congress took into consideration the report of the committee appointed to devise ways and means for preventing the farther issue of certificates, and for carrying into effect the resolutions of the 18 March last, &c. and thereupon came to the following resolutions:

Whereas a large and immediate supply of money is necessary for carrying on the operations of the war, and for the payment of debts due for supplies heretofore furnished, and for the payment of interest on loan office certificates:

*Resolved,* That it be earnestly recommended to the several states, to take the most speedy and effectual measures in their power, for drawing in their respective quotas of the continental bills of credit, to be destroyed, either by a tax to be collected immediately, or by exchanging for them new bills, to be emitted pursuant to the act of the 18th of March last, at a rate not less than forty of the former for one of the latter; so that the whole of the said new bills may be issued:

~~and whereas a further supply of money will be necessary for the purposes aforesaid, and a tax payable in the new bills aforesaid will make~~

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 533.

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~~a universal demand for them and so have a good tendency to introduce them into circulation in full credit~~

That it be recommended to the several states to raise by taxes, payable in the bills emitted pursuant to the act aforesaid, or in specie, their respective quotas of three millions of dollars, agreeable to the apportionment of the 7th of October, 1779, and pay the same into the treasury of the United States as soon as possible; the payment to be fully compleated by the last day of December next, each state to be allowed interest for the same, from the time it is paid, to be hereafter adjusted, according to a resolution of the 6th of October, 1779:

That Major General Greene, late quarter master general, and Jeremiah Wadsworth, late commissary general of purchases, and the present commissary general of purchases, respectively, render an account to the Board of Treasury of the amount of the monies due from them, on certificates or otherwise, on public account, specifying the sum due in each state, in order that warrants may issue in their favour on the treasurers of such states, for payment of the same, out of the monies to be collected for the United States, as aforesaid, which warrants being paid, shall be accepted by the treasurer, toward such state's quota of the monies to be raised as aforesaid; and it is further recommended to such states to provide that the certificates of the said quarter master and commissaries, and those who purchased under them, be received in payment of the said taxes, to the amount of such warrants, under ~~like~~ proper regulations ~~as is provided by the resolution of the 26th of May last~~ for preventing frauds.

~~And, Whereas, it is very important to the Interest of these United States, that the credit of the new currency be supported equal to specie, and there can be no reasonable doubt but that its credit may be preserved, considering the Tenor of the bills, the Funds on which they are issued, and the other provisions made or recommended for~~

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~~that purpose, if the quantity in circulation is not increased beyond the sum limited by the resolution of the 18th of March last:~~

~~*Resolved*, That it be recommended to the several states not to issue bills of credit for a currency, on any consideration whatever, to a greater amount than their respective quotas of the sum to be issued by the resolution of the 18th of March last to be in circulation at any one time, and such of the states as may have lately emitted Bills on their own credit previous to their receiving their quotas of the bills prepared agreeable to the resolution aforesaid are requested to consider the Bills so emitted as part of their said quota.~~

[And to prevent the possibility of any depreciation in the bills to be emitted agreeably to the act of the 18 March aforesaid, that it be most earnestly recommended to the several states not to issue bills of credit for a currency on any consideration whatever to a greater amount than their respective quotas of the new bills stated in the act aforesaid ~~to be in circulation at any one time, and that it be recommeded to such states as have lately issued bills of credit immediately to call in and redeem the same by giving in exchange for them the bills emitted agreeably to the resolution aforesaid and referred to such states respectively~~;

and that the bills of credit emitted by any of the states since the first day of January last, and redeemable in specie at par, be considered as part of the proportion of the money reserved by the said act of the 18 of March, to the use of the state.] [1]

Congress took into consideration the report of the committee on the letters, of the 8th June, from Governor Trumbull, and of the 21 July last, from Mr. T[homas] Burke; and thereupon,

*Resolved*, That, all and singular, the creditors of these United States, for supplies furnished the army, or the transportation thereof, shall be entitled to receive the just value

[1] This report, in the writing of Roger Sherman, except the portions in brackets, is in the *Papers of the Continental Congress*, No. 26, folios 197–201.

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of the sums due to them respectively, in the bills of credit emitted pursuant to the act of the 18 of March last, the value of the sums due to be ascertained according to the current value of continental bills of credit compared with specie at the time the money became due, at the place where the supplies were furnished; provided the same do not exceed the prices fixed for such supplies, by the act of 25 of February last, or a proportionate value for services done, and articles furnished, not mentioned in the said act; but if the nominal sum, in continental currency, contracted for, when reduced to specie value as aforesaid, shall exceed the fixed prices aforesaid, the creditor shall be entitled to receive the amount of the supplies furnished or services done, at the said fixed or proportionate prices, in the new bills aforesaid, or the nominal sum contracted for in continental bills of credit, and no more, at his election:

That the accounts being duly examined and adjusted by the rule aforesaid, by commissioners that may be appointed agreeably to the resolution of the 12 of June last, to settle the accounts of officers of the staff departments in the several states, or by the officer who made the contract, or by whom the payment is to be made, the same shall be paid, or a certificate given, for the sum justly due, certifying that the same hath been duly examined and adjusted, agreeably to the directions aforesaid; and if paid in the new bills, the interest on the said bills shall be computed to the date of such certificate:

That all debts due to the United States for monies received for their use, or otherwise, within any of these states, shall be paid according to the just value of the money when it was received, or became due, to be ascertained as aforesaid.

~~That Congress approve of the engagements of Mr. Burke mentioned in his letter of the 21st July last that all persons in North Caro-~~



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~~lina, who shall furnish supplies to the Southern army shall be paid for them without depreciation or loss, and with interest at six per cent. until paid.~~[1]

The committee, to whom was referred an extract of a letter from the council of the State of Massachusetts Bay, brought in a report; Whereupon,

*Resolved,* That the council of the State of Massachusetts Bay be informed, that the French army was not considered in the general estimate of supplies called for by Congress, and that therefore, the state cannot be credited on its quota for such articles as it may furnish to our allies.

On motion of Mr. [Robert R.] Livingston, seconded by Mr. [Samuel] Adams,

*Ordered,* That the Board of Admiralty form and lay before Congress an estimate of the rate at which ships of war from twenty to forty guns, might be built on contract, were specie furnished for the purpose, exclusive of the expence of rigging.

Adjourned to 10 o'Clock on Monday.

### MONDAY, AUGUST 28, 1780

A letter, of 20, from General Washington was read:

*Ordered,* That it be referred to a committee of five:

The members chosen, Mr. [Samuel] Adams, Mr. J[oseph] Jones, Mr. [Thomas] McKean, Mr. [John Morin] Scott and Mr. [Ezekiel] Cornell.

A letter, of 10, from J. Bradford; and

A letter, of 26, from Major General McDougall, were read:[2]

*Ordered,* That they be referred to the Board of Treasury.

[1] This report, in the writing of Roger Sherman, except the final paragraph, which is in the writing of Thomas McKean, is in the *Papers of the Continental Congress*, No. 20, I, folio 263. The report, and the preceding one, except the fifth paragraph, were printed separately with the prices fixed by the resolutions of February 25, 1780, and that of June 12, 1780. A copy may be found in No. 136, V, folio 21.

[2] Washington's letter is in the *Papers of the Continental Congress*, No. 152, IX, folio 83; it is printed in the *Writings of Washington* (Ford), VIII, 386. Bradford's letter is in No. 78, IV, folio 7; McDougall's in No. 161, folio 111.

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The Board of Treasury laid before Congress Chaloner & White's account, specially stated against Mr. Holker, agent of the French Marine, for supplies furnished:

*Ordered,* That it be referred to a committee of three, to confer with Holker, and report.

The members chosen, Mr. [Roger] Sherman, Mr. [Abraham] Clark and Mr. [Thomas] McKean.

Mr. R[obert] R. Livingston was nominated by Mr. J[oseph] Jones, for a member of the Court of Appeals in cases of capture by sea.

The Board of War, to whom was referred the letter, of 28 July, from Governor Jefferson, brought in a report; Whereupon,

*Ordered,* That the quartermaster general procure and send to the southern army one thousand soldiers tents; and that the Board of Treasury report ways and means for the payment of the same.[1]

The committee, to whom was referred the letter, of 22d, from Doctor W. Shippen, D[irector] G[eneral], brought in a report; Whereupon,

The Committee to whom, D. Shippen Direct Gen^ls letter of the 22nd instant was referred, Report,

That that part of the letter which respects supplies of Forage for the Horses belonging to officers of the Hospital Department, together with two letters received by the Committee since, from the Director General, be referred to the Board of War to take order.

The Committee ask leave to sit again.

Extract of a letter of D Shippen Aug^t 22nd 1780

"I am informed to day by the Dep^ty. Quarter Master of this State that he will not supply our department with any more Forage, unless he is authorised so to do by an order of Congress, which I flatter myself will be given immediately."[2]

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 521.

[2] This report, in the writing of Frederick A. Muhlenberg, is in the *Papers of the Continental Congress*, No. 136, IV, folio 541.

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*Resolved,* That that part of the letter, which respects supplies of forage for the horses belonging to officers of the hospital department, together with two letters received by the committee from the director general, be referred to the Board of War to take order.

On motion of Mr. [Roger] Sherman, seconded by Mr. [Samuel] Adams,

*Resolved,* That the quarter master general be and hereby is authorized and directed to make sale of all buildings and other property belonging to the United States under his care, which, in his opinion, are not wanted for public use, and render an account of such sales to the Board of Treasury, that he may be charged with the money arising thereon.[1]

A report from the Board of Treasury was read; Whereupon,

*Ordered,* That on the application of Joseph Carleton, paymaster to the Board of War and Ordnance, a warrant issue on the treasurer in his favour, for sixty thousand dollars, to defray the contingent expences of his office; and for which he is to be accountable.

*Ordered,* That so much of their report, as relates to the letter of Bedford Williams, be re-committed, and that the Board take order.

A letter, of 21, from Governor Trumbull, with sundry papers enclosed was read:[2]

*Ordered,* That the same be referred to a committee of three:

The members chosen, Mr. [Abraham] Clark, Mr. [Ezekiel] Cornell and Mr. B[enjamin] Huntington.

*Ordered,* That Saturday next be assigned for electing a commissary general of prisoners.

[1] This motion, in the writing of Roger Sherman, is in the *Papers of the Continental Congress,* No. 36, I, folio 99.

[2] This letter is in the *Papers of the Continental Congress,* No. 66, II, folio 91.

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Mr. Abraham Skinner was put in nomination for that office by Mr. [John] Fell.

Congress took into consideration the report of the committee, on the letter of 5, from Solomon Southwick; and thereupon,

*Resolved,* That it be recommended to the executive council of the State of Connecticut to supply, on the account of that State's quota, Solomon Southwick, deputy-commissary general of issues, with two hundred and fifty barrels of flour, on or before the last of September next; for which the said Solomon Southwick is to be accountable, to enable him to replace what he hath borrowed on public account.

~~That it be recommended to the Executive Council of the State of Rhode Island to examine the claims that Solomon Southwick, D. C. G. of Issues and his assistants have to Cloathing agreable to the Resolutions of Congress of the 11th of May and 25th of Novr 1779; and to draw orders for such articles of Cloathing as they may find due to them, on John Reynolds Agent Cloather in said State who is directed to comply with such orders, and charge the same to the accompt of the United States.~~[1]

TREASURY OFFICE *August 25th 1780.*

The Board beg leave to Report;

That the two Chambers of accounts as established by the ordinance of Congress of the 30th July 1779 are now *compleat* to wit, six in number.

That the ordinance aforesaid direct, that the two Chambers shall have four Clerks, that they have now only two, that one of the two is absent on Militia duty, of this State, with one of the Clerks from this Board, very much to the prejudice of Public business.

That it is necessary for the dispatch of business, that the number of Clerks for the Chambers aforesaid be compleat.

The Board therefore submit the following Resolution.

That two Clerks be immediately appointed in order to *compleat* the stipulated number for two Chambers of accounts agreeably to

[1] This report, in the writing of Ezekiel Cornell, is in the *Papers of the Continental Congress*, No. 19, V, folio 373. A draft of the first paragraph, also in the writing of Ezekiel Cornell, is in No. 36, IV, folio 269.

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the ordinance of the 30th July 1779 for establishing a Board of Treasury.

That the Bills of Credit for the State of Maryland, under the resolution of Congress of the 18th March last, are completed, and will be immediately forwarded to that State. That the Board intended to have proceeded on the Bills for the State of Pennsylvania, but as the form for printing is so much worn, that the Printer does with difficulty proceed in his business before the form be repaired, and as part of the quotas for Massachusetts and Connecticut, are yet to finish, and as the repairs the form must undergo, will in some measure alter the face of the Bill.

The Board think it proper to proceed to finish the quotas of the States aforesaid previous to the beginning on the State of Pennsylvania for the reasons aforesaid, and in this case it will be four weeks or more, before the Press can be employed for Pennsylvania.[1]

Adjourned to 10 o'Clock to Morrow.

## TUESDAY, AUGUST 29, 1780

*Ordered*, That the Committee of Commerce be discharged from proceeding on the letter, of 7 July, from Mr. Holker, and that the same, together with the papers enclosed be referred to the committee on Chaloner & White's state of accounts against Mr. Holker.

A letter, of 21, from Governor Trumbull was read, enclosing the proceedings of a convention of committees from New Hampshire, Massachusetts Bay and Connecticut, at Boston.[1]

*Ordered*, That the same be referred to the committee on the letter, of 20, from General Washington.

A letter, of 15, from Udney Hay was read.[2]

A letter, of this day, from Mr. Monbos was read.

*Ordered*, That it be referred to the Committee of Commerce.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 537. The indorsement shows that it was read August 28.

[2] Trumbull's letter is in the *Papers of the Continental Congress*, No. 66, II, folio 75; Hay's letter is in No. 78, XII, folio 77.

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A memorial of Colonel Durkee was read.[1]

*Ordered*, That it be referred to the Board of War.

A letter, of 25, from J. Hiltzeimer was read:[2]

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. [Roger] Sherman, Mr. [Samuel] Adams and Mr. [Francis] Kinloch.

A letter from Gouverneur Morris, and a memorial in behalf of John Edwards and John Smith, were read:

*Ordered*, That the same be referred to the Board of Treasury.

A letter, of 24, from James Jay, with a paper enclosed, entitled "Queries and Observations on conducting the war and on naval matters" was read.

On motion of Mr. [Robert R.] Livingston, seconded by Mr. J[oseph] Jones,

*Resolved*, That a committee of five be appointed to report a plan for the revision and new arrangement of the civil executive departments of the United States under Congress.

The members chosen, Mr. [Robert R.] Livingston, Mr. [James] Lovell, Mr. J[oseph] Jones, Mr. [John] Henry and Mr. [Timothy] Matlack.

A letter, of this day, from Ezekiel Forman was read.[3]

A petition of John B. Magro was read.[4]

*Ordered*, That it be referred to the Board of War to take order.

On motion of the delegates for Massachusetts Bay:

*Resolved*, That Thomas Walley and Peter Boyer be appointed in addition to Nathaniel Appleton and Joseph Henderson, commissioners on the part of the United States,

[1] This memorial, dated July 29, 1780, is in the *Papers of the Continental Congress*, No. 41, II, folio 460.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, XII, folio 97.

[3] This letter is in the *Papers of the Continental Congress*, No. 78, IX, folio 333.

[4] This petition, undated, is in the *Papers of the Continental Congress*, No. 42, V, folio 201.

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any one of them to endorse the bills that shall be emitted by the State of Massachusetts Bay, pursuant to the resolution of Congress of the 18th day of March last.

*Ordered*, That Thursday next be assigned for the consideration of the report of the committee on the instructions of the assembly of Maryland to their delegates, and other papers respecting the confederation.

Mr. Jesse Root was nominated by Mr. [Roger] Sherman for a member of Court of Appeals.

The committee on Governor Trumbull's letter, of 21st August; and

The committee on the memorial of W. Murray, delivered in their reports.

Adjourned to 10 o'Clock to Morrow.

## WEDNESDAY, AUGUST 30, 1780

Mr. Theodorick Bland, a delegate for the State of Virginia, attended and produced the credentials of the delegates for that State, which were read as follows:

IN THE HOUSE OF DELEGATES.
*the 21st of June 1780*

*Resolved* that Theodorick Bland jr Esquire be appointed a Delegate to represent this Commonwealth in Congress until the first Monday in November next in the room of Cyrus Griffin Esqr who hath resigned; also that Joseph Jones, James Madison jr, Theodorick Bland jr James Henry, and Meriwether Smith Esquires be appointed Delegates to represent this Commonwealth in Congress for one Year from the first Monday in November next; they having been so elected by joint Ballot of both Houses of Assembly

Teste

June 22d 1780 JOHN BECKLEY C. h. d.

Agreed to by the Senate A Copy.

WILL: DREW: C. S. JOHN BECKLEY C. h. d.[1]

[1] The original is in the *Papers of the Continental Congress*, Virginia, *Credentials of Delegates*.

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A report from the Board of War was read; Whereupon,

AT A BOARD OF WAR. *Aug. 26. 1780*

Present Mr Peters, Col Grayson

The board are not satisfied of their powers under the resolution of the 26. ultº, to remove from the service all the Officers who may be unnecessary in the Department of the Comr Genl of Military Stores—those serving by warrant from this board—Commissaries, Deputy Commissaries, Conductors &c. there will be no difficulty in superseding: but there are several persons who hold commissions signed by his Excellency the Preside of Congress, in Col. Flower's regiment, and who, tho' altogether unnecessary in our present circumstances, the board are uncertain of their authority to dismiss—they therefore beg leave to report,

*Resolved*, That Major Joseph Eayres and Capt: Nathaniel Chapman who have been employed at Springfield in the department of the Commissary General of military stores, Major Charles Lukens at Carlisle, and Capt: Lieut: William E. Godfrey at Philadelphia be excused from farther service.

And if Congress should be of opinion that these officers are not entitled, under the resolutions for making good to the army, the depreciation of their pay, to the like advantages, the Board further beg leave to report.

Remainder postponed.

That Ezekiel Cheever Esqr Lt: Colº David Mason, Major Eayres, Capt: Chapman, Major Lukens, and Capt: Lt Godfrey be entitled each to one year's pay and subsistence.[1]

*Ordered*, That the remainder of the report be postponed.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Cornelius Comegys, clerk in the treasury office, a warrant issue on the treasurer in his favour, for five thousand dollars, to defray the contingent expences of the treasury office; and for which he is to be accountable.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 516.

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That on the application of Charles Pettit, assistant quarter master general, on account of Major General Greene, late quarter master general, a warrant issue on the treasurer in his favour, for thirty thousand dollars, to repay a like sum borrowed by Colonel Thomas Smith, A[cting] D[eputy] Q. M. G., to enable him to forward the stores and artillery under the direction of Captain Craig to Fort Pitt; and for which the said Major General Greene, late Q. M. General is to be accountable.[1]

TREASURY OFFICE *August 26th 1780*

The Board have considered the extract of a letter from J. Bradford dated Boston 31st July 1780 to the President of Congress, and Referred—

The Board have also considered the Resolution of Congress of the 19th June last relative to John Garcia Duarti—Whereupon they Beg leave to report—

That the sum of eighteen thousand four hundred and forty one pounds, thirteen shillings and four pence current money of Massachusetts Bay, equal to sixty one thousand four hundred and seventy two dollars appears to have been due to the said John Garcia Duarti on the 11th of May 1778, on which sum he was to receive six per cent interest till paid. That the aforesaid sum of eighteen thousand four hundred and forty one pounds, thirteen shillings and four pence equal to sixty one thousand four hundred and seventy two dollars with interest at 6 pr cent calculated up to the 11th September next coming, will according to the rate of depreciation as established by Congress on the 28th June last amount to twenty nine thousand one hundred and five specie dollars.

*Resolved,* That bills of exchange on Europe be prepared by the Board of Treasury, to be drawn on the honorable Benjamin Franklin, to the amount of twenty nine thousand one hundred and five dollars specie; and that the same bills be transmitted to John Bradford, to be by him paid to John Garcia Duarti, in full payment of the eighteen thousand four hundred and forty one pounds thirteen shillings and four

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 557.

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pence due to him in continental money on the 11th May, 1778.[1]

Congress took into consideration the report of the committee on the memorial of Will Murray; and thereupon,

*Resolved*, That it be recommended to the president and privy council of Delaware, to permit William Murray, master of the schooner *Betsey and Nancy*, of Bermudas, to export, in said vessel, to the value of the present cargo of salt by him imported into and sold in that State, in flour, Indian corn, or other produce for the use of the distressed inhabitants of the said island; taking security from him that the same shall not be applied to any other use.

Congress took into consideration the report of the committee on the letter, of 21, from Governor Trumbull, and on motion of Mr. [Samuel] Adams, seconded by Mr. [Joseph] Jones,

The Committee to whom was referred the letter from Governor Trumbull of the 21st Inst. with the papers enclosed,

Beg leave to Report,

That a Copy of the Memorial of George Howell, an Inhabitant of Suffolk County on Long Island, praying leave and protection to remove and land his effects either in the State of Rhode Island, or such other part of the United States as upon trial might be found most practicable, without molestation or danger of seizure be transmitted to Governor Trumbull and that he be informed ~~that the passport granted upon said memorial so far as it respected the Governor or others to whom directed, not holding commission, or acting under the authority of Congress, was intended and ought to be considered only as recommendatory,~~ that Congress in granting said passport, which was done upon full persuasion of the justice and propriety of the measure, from ample testimony in favor of the memorialist, did not *claim a right*, or intend in any manner to contravene the laws, or interfere with the civil police of any State.[2]

[1] This resolution was also entered in the manuscript Secret (Domestic) Journal. The report is in the *Papers of the Continental Congress*, No. 136, IV, folio 555.

[2] This report, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 20, I, folio 265.

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*Ordered*, That the President explain to Governor Trumbull the circumstances of George Howell's application, and the passport granted to him in consequence thereof.

A memorial of Oliver Towles, lieutenant colonel, was read.[1]

*Ordered*, That it be referred to the Board of War, who are to take into consideration the case of all under similar circumstances with the memorialists.

Congress took into consideration the report of the Board of War on the establishment of the inspector's department; and after debate,

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Artemas] Ward, Mr. [Ezekiel] Cornell and Mr. [Theodorick] Bland.

*Ordered*, That copies of the resolutions for drawing bills on the honorable B. Franklin be transmitted to the Minister of France, and that the Committee on Ways and Means confer with him on the subject.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. B[enjamin] Huntington, a delegate for the State of Connecticut, a warrant issue on the treasurer in his favour, for six thousand dollars, for which the said State is to be accountable.

That the Chamber of Accounts N° 2, have liquidated the account of General M°Dougal agreable to a Resolve of Congress of the 25th instant and have reported a balance of eighteen hundred and ninety seven dollars and 75/90 of a dollar due to the General, which sum being founded on a resolution of Congress of the 9th of December 1775.

That from the pressing necessities of the General, and as the Bills emitted under the Resolution of Congress of the 18th of March last, cannot be obtained in time, the Board therefore submit the following Resolution.

[1] This memorial, dated August 30, 1780, is in the *Papers of the Continental Congress*, No. 41, X, folio 109.

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That the Board of Treasury be authorised to pay Major General McDougall, one thousand specie dollars, in bills of exchange, [in sixty days bills of exchange on France and Spain] out of those prepared by the resolution, of the 19 May last. And that a warrant issue on the State of New York for eight hundred and ninety seven dollars and 75/90, in bills emitted under the act of Congress, of the 18th of March last, which sums, amounting to eighteen hundred and ninety seven dollars and 75/90 of a dollar, are in full of the ballance reported to be due to him on the liquidation of his accounts by the chamber of accounts.[1]

Congress took into consideration the report of the committee on salaries; and some time being spent thereon,

Adjourned to 10 o'Clock to Morrow.

### THURSDAY, AUGUST 31, 1780

A letter, of 20, from Major General Gates, at Hillsborough was read:

*Ordered*, That it be referred to a committee of five.

The members chosen, Mr. [John] Henry, Mr. [Samuel] Adams, Mr. [John] Walker, Mr. [Thomas] Bee and Mr. W[illie] Jones.

A letter, of 23, from George Howell; and

One, of 23, from J. Varnum, were read.[2]

Congress resumed the consideration of the report of the committee on salaries; and some time being spent thereon:

*Ordered*, That the further consideration thereof be postponed.

Mr. T[homas] McKean was nominated by Mr. [Timothy] Matlack for commissioner of the Court of Appeals.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 559. The words in brackets are in the report and not in the Journal.

[2] Gates's letter is in the *Papers of the Continental Congress*, No. 154, II, folio 234; Howell's is in No. 78, XII, folio 93; Varnum's is in No. 78, XXIII, folio 175.

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Mr. H[enry] Marchant was nominated for the same office by Mr. [Ezekiel] Cornell.

Adjourned to 10 o'Clock to Morrow.

**FRIDAY, SEPTEMBER 1, [1780]**

A letter, of 21 May, from Mr. Dumas was read.

Another letter, of the same date from the same, was read:[1]

*Ordered,* That it be referred to a committee of three:

The members chosen, Mr. [James] Lovell, Mr. [John Morin] Scott and Mr. [John] Henry.

A letter, of May 31, from Hon^ble^ Doctor Franklin.[2]

And a letter, of September 6, 1779, from Mr. D'Audibert Caille, at Salé, were read:

*Ordered,* That they be referred to the Committee of Foreign Affairs to report.

A letter, of April 10, from Hon^ble^ J. Adams; and

One, of April 12, from J. Johnson, were read.[3]

A letter, of 29 August, from C. P. Raguet was read:

*Ordered,* That it be referred to the Committee of Commerce.

The Board of War laid before Congress a letter, of 14 August, from Brigadier Knox, with sundry papers enclosed:

*Ordered,* That the same be referred to a committee of three:

The members chosen, Mr. [Roger] Sherman, Mr. [Nathaniel] Folsom and Mr. [Nicholas] Van Dyke.

A petition of Thomas Finley was read:

*Ordered,* That it be referred to the Board of Treasury to take order.

A report from the Board of Treasury was read; Whereupon,

[1] A letter of 21 May is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 696.

[2] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton) III, 742.

[3] Adams's letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, 604; Johnson's letter is in the *Papers of the Continental Congress,* No. 78, XIII, folio 139.

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TREASURY OFFICE, *August 31st, 1780*

The Board of Treasury report:

*Ordered*, That on the application of Colonel John Beatty, late commissary general of prisoners, a warrant issue on the treasurer, in his favour, for three thousand four hundred and eighty five dollars and 54/90 of a dollar, being the ballance of a certified account due to James M'Comb, late deputy commissary of prisoners; and for which the said John Beatty is to be accountable.

That on the application of Charles Pettit, assistant Q. M. Genl, on account of Major General Greene, late Q. M. G., a warrant issue on the treasurer in his favour, for five thousand and thirty five dollars, for which the said Major General Greene, late Q. M. G., is to be accountable.[1]

Upon a Reference from Congress of the letter of John Bradford dated Boston August 10th 1780, The Board beg leave to Report—

That so far as the letter aforesaid respects the payment of John Garcia Duarti, it is provided for by a Resolution of Congress of the 30th inst That John Bradford be informed by the Board of Treasury of such provision, and directed to send the money detained in his hands for the purchase of Bills, To the Treasurer of the United States,[2]

Postponed.

The committee, to whom was referred the letter, of 25 August, from J. Hiltzeimer, brought in a report; Whereupon,

*Resolved*, That Jacob Hiltzeimer be allowed at the rate of forty dollars per month, in the new currency, emitted pursuant to the act of the 18 March last, for his service in providing for the horses under his care, to commence from 16 February, 1780; and that he be allowed six hundred dollars in the said currency for his services previous to that time.

*Resolved*, That what is now due, or that may hereafter become due for keeping the said horses, be paid to the said Jacob Hiltzeimer by the respective owners; that duplicate

[1] The amount is given as $5,034 in the report.

[2] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 561.

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receipts be taken for the same, one of which to be lodged with the auditor general: that the said J. Hiltzeimer be charged with the monies so received, and apply the same for defraying the expences of keeping the said horses; any former resolution to the contrary notwithstanding.

On motion of Mr. [Roger] Sherman, seconded by Mr. [Samuel] Adams,

*Resolved*, That the continental bills of credit, as they are brought into the loan offices, pursuant to the Act of Congress of the 18 of March last, be immediately struck through with a circular punch of one inch diameter, to be afterwards examined and burned, as Congress shall direct.

The Board of Treasury, to whom was referred the memorial of William Alricks and Company, brought in a report; Whereupon,

The Board have considered the memorial of William Alricks and Company read in Congress the 17th ult° and referred to this Board,

Whereupon they beg leave to Report

That it appears by said memorial and divers testimonies on oath exhibited and filed, that seven setts of Exchange for one hundred and ninety two dollars, payable to Charles Thompson and John Evans or order, duly issued by the Continental Loan officer for the State of Pennsylvania, the date, number, and amount of the bills aforesaid, under the hand of the Loan officer aforesaid filed in this office—were thrown overboard at sea, and thereby lost; the truth whereof the Board have no reason to doubt

That five sets of Exchange for two hundred and four dollars, payable to John Steel, Christian Lower jr and Wm Semple or order duly issued by the Loan officer aforesaid, dates, numbers, and amount filed in this office as aforesaid were delivered to Captain Josiah Robinson, of the Ship *General Mercer* who sailed from Delaware Bay, on or about the 2nd of April last bound for Martinique—that on the 8th of the same month the said Josiah Robinson of the *General Mercer* aforesaid was spoke with at sea, since which, nothing has ever been heard of the ship aforesaid, and it is believed the said ship is lost, and the five sets of Exchange also lost, whereupon the Board submit the following Resolution,

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*Resolved*, That the treasurer of loans sign and deliver to Thomas Smith, commissioner of the continental loan office for the State of Pensylvania, to be by him issued to William Alricks and Company, twelve setts of exchange, of the tenor and date of those mentioned in his memorial, and filed in the Treasury office; except that each set is to consist of the 5th, 6th, 7th and 8th bills, one of the eight only to be paid. That the treasurer of loans furnish the said William Alricks and Company with quadruplicate letters of advice, each containing a certified copy of this resolution. And that the aforesaid William Alricks and Company enter into bond to the loan officer aforesaid, on behalf of the United States with two or more sufficient freeholders as securities, in double the amount of the value of the said bills, with condition to indemnify the United States against the holder or holders of any of the bills aforesaid, which are said to be lost, should any such appear.[1]

Adjourned to 10 o'Clock to Morrow.

## SATURDAY, SEPTEMBER 2, 1780

A petition from the owners of the privateers *Fair American* and *Holker* was read:

*Ordered*, That it be referred to the Board of Admiralty to take order.

A petition of Henry Eberly was read:[2]

*Ordered*, That it be referred to the Board of Treasury.

A letter, of first, from the honorable the Minister of France was read.[3]

Another letter, of 1st, from the same was read:

*Ordered*, That it be referred to the Board of Admiralty to take order.

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 561.

[2] This petition, undated, is in the *Papers of the Continental Congress*, No. 42, II, folio 404.

[3] This letter is printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), IV, folio 44.



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Congress took into consideration the report of the committee on the instructions of the assembly of Maryland to their delegates, and other papers respecting the Confederation, &c. and after debate,

*Ordered*, That the consideration thereof be postponed till Monday next.

A motion was made by Mr. [Samuel] Adams, seconded by Mr. [Roger] Sherman,

*Ordered*, That the same, together with the letter, of 10 April, from the honorable J. Adams be referred to a committee of three:

The members chosen, Mr. [Samuel] Adams, Mr. J[oseph] Jones and Mr. [John Morin] Scott.

The committee, to whom were referred the instructions to the delegates of Virginia, and the extract from the letter, of 26 May, from the honorable J. Jay;[1]

And the committee, to whom was referred the letter, of 14 August, from Brigadier Knox; and

The committee on the letter, of 20th August, from Major General Gates, delivered in their several reports.

Adjourned to 10 o'Clock on Monday.

### MONDAY, SEPTEMBER 4, 1780

A letter, of 6 May, from Mr. Dumas was read.

A letter, of 24 August, from General Washington, with sundry papers enclosed; and

A letter, of 28 of the said month, from the same with a copy of a circular letter, were read:[2]

[1] The following motion, undated, in the writing of John Rutledge, with reference to Jay's letter, is in the *Papers of the Continental Congress*, No. 36, IV, folio 83:

"That the minister plenipotentiary at the Court of Spain be instructed to forbear making any overtures to that court or entering into any stipulations in consequence of overtures which he has made."

[2] Washington's letter of August 24 is in the *Papers of the Continental Congress*, No. 152, IX, folio 101. His letter of August 28 is on folio 139; it is printed in the *Writings of Washington* (Ford), VIII, 416.

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*Ordered*, That the latter, together with so much of the former as relates to the supply of the army, be referred to the committee on his letter of 20 August.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Charles Thomson, secretary of Congress, a warrant issue on the Treasurer in his favour, for six thousand dollars, on account of his salary.[1]

Adjourned to 10 o'Clock to Morrow.

### TUESDAY, SEPTEMBER 5, 1780

A letter, of June 1, and two of June 2, from the honorable John Adams, were read:[2]

A letter, of 4th, from James Jay was read.[3]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Nicholas] Van Dyke, Mr. [Abraham] Clark and Mr. [Jared] Ingersol.

A report from the Board of Treasury was read; Whereupon,

*Ordered*, That on the application of Mr. C. Griffin, one of the judges of the Court of Appeals in cases of capture, a warrant issue on the treasurer in his favour, for forty thousand dollars on account of his salary.[4]

TREASURY OFFICE *Sep^t 4^th 1780*

The Board beg leave to represent to Congress,

That in the opinion of the Board the United States are suffering greatly by receiving Loans and issuing Loan Office Certificates, under

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 565.

A letter of the Board of War was read stating that the iron masters required money; this letter is in the *Papers of the Continental Congress*, No. 148, I, folio 187.

A letter from the Board of Admiralty was also read stating that the British fleet had left New London and steered to the southward; this letter is in the *Papers of the Continental Congress*, No. 37, folio 303.

[2] These letters are printed in the *Diplomatic Correspondence of the American Revolution* (Wharton), III, folios 750, 752, 758.

[3] This letter is in the *Papers of the Continental Congress*, No. 78, XIII, folio 179.

[4] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 585.

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the present established Regulation; for Remedy whereof, the Board submit the following Resolution

*Resolved*, That the Board of Treasury be, and hereby are, authorised to prepare loan office certificates, agreeably to the underwritten form, to the amount of one million dollars, equal in value to specie; and that the Board have power to stop the issuing all loan office certificates under former resolutions of Congress, so soon as the present are prepared to issue; and that all monies, after that period loaned, shall be loaned and received at specie value.

Dollars. Number

The United States of America acknowledge the receipt of the value of Spanish milled dollars from which they promise to pay to the said or bearer, in specie or other current money equivalent on the day of with interest annually, at the rate of six per cent. per annum, agreeably to a resolution of Congress passed the 5th day of September, 1780.

Witness my hand, this day of Anno Domini [1]

Adjourned to 10 o'Clock to Morrow.

### WEDNESDAY, SEPTEMBER 6, 1780

A letter, of 12 May, from William Glascock, was read: [2]

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. [Samuel] Adams, Mr. [James] Duane, and Mr. [Abraham] Clark.

A letter, of 5, from Thomas Hartley was read:

*Ordered*, That it be referred to the Board of Treasury.

The Board of War, to whom were referred the memorials of Lieutenant Beaulieu, brought in a report; Whereupon,

[1] This report is in the *Papers of the Continental Congress*, No. 136, IV, folio 567.

[2] This letter is in the *Papers of the Continental Congress*, No. 73, folio 266.

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AT A BOARD OF WAR. *Sept. 5. 1780*

Present Mr. Peters Col Grayson

The Board having considered the reference from Congress on the subject of Lieut: Beaulieu's memorials, and the said memorials—are of opinion that he is not entitled to his travelling expenses from South Carolina to Philadelphia, under any regulation of Congress, as he was not on public business. But it appears to the Board that Lieut: Beaulieu is in very distressed circumstances, and a stranger in the country, labouring under misfortunes which have befallen him in its service. He is a prisoner on parole, and cannot return to France. The Board therefore submit to Congress whether a sum of money should not be advanced to him, if the precedent would not be attended with disagreeable consequences. If Congress be of this opinion they will please to resolve;

*Ordered*, That the sum of five thousand dollars be paid to Lieutenant Beaulieu, to reimburse his expences while under the cure of the wounds he received in the service of these states, and to defray the charges of travelling from South Carolina to Philadelphia, to which place he was under the necessity of coming for assistance which he could not obtain elsewhere.[1]

The Board of War, to whom was referred the memorial of Colonel Durkee, report as their opinion, "That as Colonel Durkee holds a commission of colonel in the service of the United States, and is intitled to all the emoluments thereof, it is not necessary or practicable to make any farther provision for him at this time, though the Board are satisfied he is a meritorious officer: That with respect to his application to be allowed a clerk, the Board are of opinion that it is inexpedient to comply therewith."[2]

A motion was made by Mr. [Ezekiel] Cornell, seconded by Mr. [John] Fell, for discontinuing the post at Carlisle.

*Ordered*, That it be referred to the Board of War.

[1] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 543.

[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 547.

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Congress took into consideration the report of the committee to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress, respecting the articles of confederation, and the declaration therein referred to, the act of the legislature of New York on the same subject, and the remonstrance of the general assembly of Virginia; which report was agreed to, and is in the words following:

"That having duly considered the several matters to them submitted, they conceive it unnecessary to examine into the merits or the policy of the instructions or declaration of the general assembly of Maryland, or of the remonstrance of the general assembly of Virginia, as they involve questions, a discussion of which was declined on mature consideration, when the articles of confederation were debated; nor, in the opinion of the committee, can such questions be now revived with any prospect of conciliation; that it appears more advisable to press upon those states which can remove the embarrassment respecting the western country, a liberal surrender of a portion of their territorial claims, since they cannot be preserved entire without endangering the stability of the general confederacy; to remind them how indispensibly necessary it is to establish the federal union on a fixed and permanent basis, and on principles acceptable to all its respective members; how essential to public credit and confidence, to the support of our army, to the vigour of our councils and success of our measures, to our tranquillity at home, and our reputation abroad, to our present safety and our future prosperity, to our very existence as a free, sovereign and independent people; that they are fully persuaded the wisdom ~~and magnanimity of the patriotic legislators of these states will on an occasion of such vast magnitude, prompt them to prefer the general security to local attachment, and the permanency of the confederacy to an un-~~

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~~wieldy extent of their respective limits,~~ of the respective legislatures will lead them to a full and impartial consideration of a subject so interesting to the United States, and so necessary to the happy establishment of the federal union; that they are confirmed in these expectations by a review of the beforementioned act of the legislature of New York, submitted to their consideration; that this act is expressly calculated to accelerate the federal alliance, by removing, as far as it depends on that State, the impediment arising from the western country, and for that purpose to yield up a portion of territorial claim for the general benefit; ~~an example which in the opinion of your committee deserves applause, and will produce imitation,~~" Whereupon,

*Resolved,* That copies of the several papers referred to the committee be transmitted, with a copy of the report, to the legislatures of ~~Virginia, North Carolina and Georgia~~ the several states, and that it be earnestly recommended to those states, who have claims to the western country, to pass such laws, and give their delegates in Congress such powers as may effectually remove the only obstacle to a final ratification of the articles of confederation; and that the legislature of Maryland be earnestly requested to authorize their delegates in Congress to subscribe the said articles; ~~and that a copy of the aforementioned remonstrance from the assembly of Virginia and act of the legislature of New York, together with a copy of this report, be transmitted to the said legislature of Maryland.~~[1]

A report from the Board of War was read; Whereupon,

*Resolved,* That the resignation of Captain Alexander Lawson Smith, of the regiment formerly Rawlins, be accepted.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 20, II, folio 225. A draft, in the writing of James Duane, is filed with it. It was also entered in No. 9 (History of the Confederation), folio 161.

[2] This report is in the *Papers of the Continental Congress*, No. 147, IV, folio 537.

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A motion was made by Mr. [Joseph] Jones, seconded by Mr. [James] Madison, respecting the lands that may be ceded in pursuance of the foregoing report and resolve.

That in case the recommendation of Congress to the States of Virginia, North Carolina and Georgia to cede to the United States a portion of their unappropriated Western Territory shall be complied with in such manner as to be approved of by Congress, the Territory so ceded shall be laid out in separate and distinct States at such time and in such manner as Congress shall hereafter direct, so as that no state be less than one hundred or more than one hundred and fifty miles square or as near thereto as circumstances will admit, and that upon such cession being approved of and accepted by Congress the United States will guaranty the remaining Territory to the said States respectively.

That such of the said States as have been at expence in subduing any of the British Posts within the Territory proposed to be ceded and in maintaining Garrisons and supporting civil government therein since the reduction of such Posts shall be reimbursed by the Continent the amount of such expence.

That all the Lands to be ceded to the United States and not appropriated or disposed of in bounties to the American Army, shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation according to their usual proportions or quotas of general charge and expenditure, and shall be applied and disposed of for that purpose and no other whatsoever, and therefore all purchases and deeds from any Indian or Indians, or any Indian Nation or Nations for any Lands within any part of such ceded Territory, which have been or shall be made for the use of any private person or persons whatsoever, shall be deemed and taken as absolutely void.[1]

Adjourned to 10 o'Clock to Morrow.

[1] This motion, in the writing of Joseph Jones, is in the *Papers of the Continental Congress*, No. 36, I, folio 97.

The following motion, undated, is in No. 36, IV, folio 21:

"That the ~~first resolve in the~~ report under consideration be postponed, ~~till Congress shall have determined on the following motion,~~ That previous to any determination in Congress relative to the cessions of the Western lands the name of each member present be called over by the Secretary, that on such call each member do declare upon his honor whether he is or is not personally interested, directly or indirectly, in the claims of any company or companies which have petitioned against the territorial rights, of any one of the States by whom such cessions have been made, and that such declaration be entered on the Journals."

A note is added: "Yeas and nays required by Col. [Theodorick] Bland."

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